

THE CABINET MISSION

1946



Members of the Cabinet Mission in the Viceregal Lodge with their Secretaries.

The Cabinet Mission

1946

. by

A. B. RAJPUT, M.A.

*Author of Iran Today, Maulana Abul Kalam Azad,
India's Struggle, etc., etc.*

1946

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Dedicated to—
THE CAUSE OF FREEDOM

INTRODUCTION

On Freedom

Mr. A. B. Rajput has asked me to write a Foreword to his book and a *Foreword* to FREEDOM. I have no doubt that had he approached one of our national or party leaders, their word would have carried far more weight—not perhaps by what was written, but by whom it was written. But, then, nevertheless, how many of us do really go through a 'Foreword? The better half of the readers skip over it. The others go through it with the smile of a martyr. To neither the one nor the other then my these few pages are addressed.

Of the Cabinet Mission, its proposals and counter-proposals, enough has been said in the book. The author has gone to considerable pains to be exhaustive on the subject. "The cause of the source points to the nature of the growth." Let us then trace the motives that led to the origin of the Cabinet Mission to India. Motives are the best ways to justify a man's actions. Our vanity and our ego force us to believe that it is our hue and our cry that has originated the Cabinet Mission. The more modest of us like Mahatma Gandhi conclude that it is the genuinity of the British desires to see India obtain her freedom. It is neither the one nor the other. What did all our threats of rebellion, all

our carefully planned 'Quit India' campaigns, all the hue and cry raised in the past, gain for us? Merely a few more seats in the Viceroy's Executive Council! As to the British desire to see India attain her independence, I can assure you that the average Englishman today is more interested in the horse likely to win the Derby, than the cause of India and her independence. To what must we then attribute this Mission of goodwill from the British Cabinet? For six years during the war, Great Britain has been shouting herself hoarse, styling herself as the champion of freedom. The eyes of the world are now turned towards it. It would let the carefully concealed cat out of the bag if it was proved that the champions of freedom abroad are despotic autocrats over an entire nation at home. The end of the war has seen the birth of a new dawn, an era of individual awakening and self-consciousness. The alarming rise of the U. S. S. R., with communalism spreading like wild fire, and a question in every eye, we see them are the real motives that originated in the Cabinet Mission and left Downing Street no choice. Once again the British set out to prove that 'ts not, that freedom was withheld from Indians; it was the Indians themselves that withheld the freedom.

The Cabinet Mission and its exertions are genuine in all respects, but its proposals lack the one basic entity—'freedom and independence.' Lord Wavell made it clear when he declared that 'there were and will be only four parties in the country, viz., the Congress, the Muslim League, the Princes and the *British Government*.' The British offer India her independence subject to her remaining a party to her independence! What on earth are they offering us? Over what are our leaders breaking their

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heads about? To me it appears that each political party is fighting each other with only one motive, to attain the maximum of power, which later will carry the maximum of weight with the British Government. I utterly fail to see even the germ of the cause that India is supposed to be fighting for. Freedom is certainly not something material that can be a piece of cake. We eat it and we have it. Freedom in its true and complete sense is an abstract entity. Freedom, my countrymen, is an essence of the mind. A national Government is only a child's and an ignorant's way of defining this entity. A freeman is ever a freeman, were he even to be put in chains and cast in dungeons. Have we not before us the example of our own countrymen? Men like Subhas Chandra Bose, exiles and refugees from their own land, with a price upon their head, yet FREE, free in the highest sense of the word. Who would today say that Subhas was a slave of the British autocracy? Such men never die—such freedom never dies. "Even though it is dead, yet shall it live."

To attain independence and freedom, we must first of all realise freedom, attribute values to it, cultivate it and originate it in the mind. Let us even believe the unbelievable. Let us believe that the British imperialism is withdrawn, every inch of it today. Will to-morrow in that event assure us freedom? Will we be free in its complete and only sense-free as other nations of the world are? The works of Raphaelle to a layman is just another painting, to an artist or a connoisseur it is an entire world. Let us then realise freedom in the mind, attribute values to this entity before we begin to cherish it in our homes.

In the history of the world, one fact stands out like a milestone. There is only one road to freedom. That which lies through sacrifice and through bloodshed. We might obtain freedom otherwise, but if we do, we will have obtained freedom, it is true; but without the spirit and the ethereal consciousness that goes with it.

To obtain a degree of Doctorate of medicine or law we have to work for it; but if perchance a degree of Doctorate of medicine, or law, be conferred upon us in the form of a diploma, should we credit ourselves for being a doctor of medicine, or a man of law? Freedom is an entity of the mind. Can a piece of paper signed by the Cabinet Mission bestow it upon us? By all the laws under the sun—No. There is only one medium to freedom—that of sacrifice.

The future of our country, the future of forty crores of peoples, is in the hands of our leaders. It is for them to think of it, not in the light of the present, nor in the light of their personal achievements, but in the light of the generations to come. History has repeatedly warned us that no amount of international organisations of peace, are proof against the ambitions of any nation. A hundred years hence, a thousand years hence, if not Britain, another may decide to walk upon us. - And just as meekly as we accepted, just so obligingly will we hand our cheaply earned laurels of freedom back to the usurper. And we of the present should be held responsible for they of the future. Their fathers and their fathers never fought, never loved the cause of freedom and independence at the cost of their lives, why should our children and their children? The

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child is but the father of man. The word freedom or independence to them would be an entity devoid of all its values, all its essentials.

Let us, then, if we are to leave a legacy behind, leave a legacy written in letters of death. A legacy of India—washed of all its shames with our blood. Our generations to come will then cherish it and guard it as a sacred trust. Well, be ready to defend it, fight for it, and if need be, die for it. Let us not cheat our children of the greatest heritage of mankind—FREEDOM, freedom in its true and complete sense, freedom of the mind.

My call to you, countrymen, is the call of battle, and the call of battle is the call of freedom :

اُٹھو و تگرو، حشر نہیدں جو تہا پیار کبیہی
دوڑو زمانہ چال* تباہت کی چل ڈبا

A. J. KARDAR.

PREFACE

Facing Facts

"Now understand me well—it is provided in the essence of things that from any fruition of success, no matter what, shall come forth something to make a greater struggle necessary"

—*Walt Whitman.*

"Why don't they shoot Gandhi?" an English lady once asked the famous journalist, Mr. Brailsford. "The whole trouble in India has come about, because the Government won't let us beat our servants. It's the only thing they understand." It was an ancient typifying the crass and brutal behaviour by the British towards Indians during the last two centuries of their 'civilising mission' to this country. "And what have the British done for our people?"—asked Rabindra Nath Tagore once. "I look around and see famished bodies crying for bread," he said. "I have seen women in villages dig up mud for a few drops of drinking water, for wells are even more scarce in Indian villages than schools. I know that the population of England itself is today in danger of starvation and I sympathise with them, but when I see how the whole might of the British Navy is engaged in convoying food vessels to the English shores and when I recollect that I have seen our people perish of hunger and not even a cartload of rice brought to their door from the neighbouring

district, I cannot help contrasting the British at home with the British in India.

" Shall we then be grateful to the British, if not for keeping us fed at least for preserving law and order?—asked further that nobleman of India. "I look around and see riots raging all over the country. When scores of Indian lives are lost, our property looted, our women dishonoured, the mighty British arms stir in no action, only the British voice is raised from overseas to chide us for our unfitness to put our house in order."

" A government must be judged," he concluded, " not by the pretensions of its spokesmen, but by its actual and effective contribution to the well-being of the people. It is not so much because the British are foreigners that they are unwelcome to us and have found no place in our hearts as because, while pretending to be trustees of our welfare, they have betrayed the great trust sacrificed and have the happiness of millions in India to bloat the pockets of a few capitalists at home."

This can serve as a good background for a study of the offer of the so-called '*freedom*' to the Indians by the British Labour Government's Cabinet Mission now in this country.

The proposals of the Cabinet Mission, which have been discussed in the following pages, and which have been acclaimed by some of our leading statesmen as " something of which you have every reason to be proud," can in no way be called an offer of freedom, nor even a near approach to freedom. They promise many things in the future as did the

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Linlithgow-Amery declaration in 1940, or the Cripps offer in 1942, or the Wavell Plan last year, purporting to the 'freedom of India,' but without touching in the least the predominance of the Viceroy, the provincial Governors, and the Civil services over the machinery of the Government. This continuation of the bureaucratic British rule in India, guarded, of course, by the British bayonets as usual, can in no way be called an approach towards freedom, nor can it mean anything else than a couple of more seats added to the Executive Council, or the Indianisation of the said Council. If this is what our countrymen call FREEDOM, then it would mean that all our threats of a revolution, and the 'Quit India' campaigns during the last three years were meant for getting a few more chains of servitude over our persons.

With their proposal for a Union of India, the Cabinet Mission have succeeded in planting two of the firmest roots of imperialism in the country. One is the formation of 600 Ulsters of the Indian states in this land, which will not be passed on the Indian Union, and which will be self-governing units without being responsible to any Central authority. Thus, while on the one hand, the princes will keep the states' people in the chains of perpetual slavery, on the other, they will ever be forced to cling to the saddle-straps of the British imperialism. The other is a staunch alliance with the capitalists of the land, whether they wear the label of the Congress, the Muslim League, or that of the princes. It began with the alliance of the Indian millowners with the British capitalists in the form of the Birla-Newfield agreement in June 1945, and the Tata I.C.I. agreement in December 1945. And these very millowners

are the backbone of the national organisations of the country. Further, the stronghold of imperialism was consolidated to an unimaginable extent by strengthening the position of the Muslim League and the princes in the field of politics. This was made clear by Lord Wavell when he declared that there were four parties in the country, *viz.*, the Congress, the Muslim League, the princes, and the British Government. If this is taken for granted, then wherein lies the success of the Congress claiming as the representative of the Indian nation?

The offer of the Cabinet Mission is another device to cool down the momentary excitement amongst the people of India which is perhaps the natural outcome of the World War II, otherwise neither the British can possibly afford to quit India without undergoing the grave risk of an economic breakdown in their own homeland, nor can the Indian capitalists—Hindus and Muslims both—for one moment dream of standing upon their own legs under the shadow of the advancing avalanche of the Soviet Socialists.

The proposal to end the deadlock in regard to the composition of a provisional interim Government by inviting five representatives of the Congress, five of the Muslim League, and one each of the Sikhs, Parsis, Indian Christians and the Scheduled Castes is being discussed, and is likely to be accepted with slight adjustments or alterations by the 'major' political parties for setting up of the constitution-making machinery as put forward in the Cabinet Mission's proposals of the 16th May, 1946; but will it lead to the independence of India,—the events will show! This much may suffice to say here that an

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extraordinary consciousness is visible today not only amongst the upper strata of the Indian society, but also amongst the hungry and the naked labourers, farmers and artisans, and even amongst the armed forces and the police forces. And such consciousness cannot be for ever evaded by the strong arms of the capitalist partisans of the British imperialism in this country. As a solution thereof, the youth of the land have urged that "whatever decision we are called upon to make, must be examined strictly in terms of the fundamentals of our nationalism, *viz.*

1. Abolition of every vestige of foreign domination.

2. The political and economic unity of our people.

3. A growing equality in our political and economic relationships expressed through democratic forms of administration, and

4. A common code of fundamental rights, establishing a uniform and equal status for every citizen in political, social and economic spheres, overriding religions or regional differences.

"Complete independence is only an expression," they say, "unless it means the end of British domination, direct or indirect. This demands the withdrawal of British troops even before the meeting of the Constituent Assembly as it must possess sovereign status. It is equally necessary to eliminate the British capitalist interests who act either on their own, or in alliance with Indian capitalists and even by destiny for over a century.

"The British Government," they add further, "has not approached its self-chosen duty with honesty of purpose or directness of effort. They have, thus, further encouraged the forces of disruption by refusing to demand from the princes a clear and uniform charter of civil rights here and now. This single instance would suffice to throw light on their motive. The Labour Government has proved that Socialism at home does not mean liquidation of imperialism abroad."

Under the circumstances, they urge that a new state must be born in this land, and to create that state of free India they declare that 'the unretreating strength of our people is our sole weapon.' So onwards 'to this spurt of creative action,' let us go, ahead towards FREEDOM through all such ordeals and sacrifices that may be required of us in that path, for therein alone lies the end of our sufferings and starvations.

A. B. R.

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A. B. R.

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CHAPTER I

THE HOAX EXPOSED

"This time the revolution will be unique in the history of all revolutions. When it starts, it will not be the national leaders and workers who will be arrested. This time it will be the Viceroy and Governors who will be under arrest."

—*Aruna Asaf Ali.*

"India speaks hundreds of different languages.

"It is composed of barbarous, primitive peoples, who have always been invaded and conquered.

"India was an economic nonentity before the English came and established their benevolent trusteeship over India at self-sacrifice.

"Before England so generously took on the whiteman's burden, India was in a state of political barbarism, never having heard of freedom or democracy until they read about them second-hand in English books.

"Should England ever lay down its great burden of ruling India, India would immediately fall into civil war and chaos."

"What more would the Indians have?" asks the Englishman.

"We have given them what a competent

cracy and a disciplined army can give—order and peace. Besides, we have conquered distance, brought fertility to deserts and drawn power from the Himalayan snows for these people.” But the people of India replied :¹ “ We in India look upon the British Empire as the most reactionary and anti-democratic force in the world. Can you blame us for this, gentlemen? How else can we—or you—explain the ghastly economic and political facts that stare us in the face after two centuries of British Rule? Facts such as that :

“ 1. 88 per cent of our people are illiterate, as against less than 5 per cent. in England.

“ 2. Our average expectation of life is only 26½ years, as against England's 63 years.

“ 3. Our average *per capita* income is sixty-five rupees, as against England's over £100.

Facts Ghastlier than Fiction ;

“ In order to impress upon you the parallel gravity of the political situation, let the facts speak for themselves once again :

“ 1. It is 189 years since Robert Clive, assisted by treachery and graft, won the Battle of Plassey. A British writer has described Plassey as one of decisive battles of the world : yet the casualties were 22 killed and 50 wounded on the British side, while the total figures on the Indian side was less than 500.

1. From *An Open Letter to the British Cabinet Mission*, Blitz, Bombay, March 30, 1946.

Will it be pertinent to point out to you that in the recent disturbances in Bombay in (February, 1946), following the unrest in the 'Royal' Indian Navy, 261 persons were killed and over 1,200 received bullet wounds, not to speak of many hundreds besides who were injured by bayonets, lathis, and tear-gas? If the casualty total of the recent disturbances from Calcutta to Karachi and from Lahore to Madras is added up surely it is not very different for you to read the writing on the wall.

"2 Take again the Revolt of 1857. It may appear surprising, but it is true, that more Indians were killed—quarter of a million—in the so-called "Mutiny" of 1857 than Englishmen in the entire course of the World War II!

"3. Censorship has completely obscured the fact that in the Revolution of 1942, at a conservative estimate, 50,000 peoples were slaughtered. How many more thousands were wounded? How many times were unarmed crowds machine-gunned from the air? All this we invite you to investigate.

"As against this, we also invite you to enquire from your Right Honourable friends, Mr. L. S. Amery and the Most Noble Marquess of Linlithgow, as to how many Englishmen were killed in 1941; you will be amazed to find that the reply is—scarcely any!

"Consequently, neither the gruesome suppression of the people on the one hand, nor the false propaganda-ballyhoo on the other, especially in the United States, has made for British popularity here.

Two hundred years of history stand between you and us.

"The Indian National Congress itself, as is well known, was an Englishman's idea.

Originally conceived as a social reform organisation, it became political at the specific insistence of the then British Viceroy, Lord Dufferin.

Congress proves a 'Frankenstein':

"His Lordship was to regret his decision and in three years to denounce the Congress as representing only a '*microscopic minority*.' But the Congress survived his wrath.

"Twelve years later, in 1900, Lord Curzon from the Viceregal Palace wrote to the Secretary of State for India:

"The Congress is tottering to its fall, and one of my great ambitions, while in India, is to assist it to a peaceful demise. (Life of Lord Curzon—by Lord Ronaldshay, Vol. II, page 151).

"This particular ambition of his Lordship naturally remained unfulfilled!

"Nothing deterred, Lord Willingdon, in 1932, made a similar prophecy, which proved equally unavailing. Despite the beatings and shootings and confiscations and jail, he lived to see Congress even more firmly entrenched in the affections of the people

"The Amery-Linlithgow partnership made an

even more determined attempt to crush Congress in 1942,

“Your presence in this country is a proof, if proof were needed, that terror having failed to crush the spirit and determination of the people, *other* methods are now being tried!

“Paradoxically enough, the ‘Quit India’ movement is entirely the child of Britain’s broken promises and ruthless imperialist policies. The Indian politician took a long time, indeed, well over half a century, to arrive at ‘Quit India.’

Britain Responsible for ‘Quit India’ :

“The very first session of the Indian National Congress in 1885 expressed its profound feelings of loyalty to Queen Victoria. At the second session, Dadabhoi Naoroji from the presidential chair enquired :

“‘I put the question plainly : Is this Congress a nursery of sedition and rebellion against the British Government (cries of ‘No’ ‘No’—or is it another stone in the foundation of the stability of that Government? (cries of ‘Yes’ ‘Yes’). There could be but one answer and that you have already given.’

“Despite severe governmental repression and the tragic experience of the Bengal Partition days, Gokhale stood by the Minto-Morley Reforms in 1909.

“During the First World War, at every annual session, the Congress broadcast its loyalty to Great

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Britain and the Allied cause and one and a half million Indian soldiers went to your rescue in England's dark hour.

" It was the massacre of the Jallianwala Bagh in 1919, that shook for the first time Mahatma Gandhi's profound loyalty to the Empire.

" In 1928, the arrival of the Simon Commission from which Indians were excluded, but of which Major Attlee was a member, put a severe strain on Indian patience. The extraordinary vehemence with which it was boycotted has become a part of the national memory.

" Soon after, however, when the second Labour Government of Mr. Ramsay Macdonald took office, it found Indian national leaders still willing to co-operate on the basis of Dominion Status.

" The political situation was tense. The Lahore Congress was meeting in the Christmas week of 1929 with complete Independence on its agenda.

" Again, in response to a Viceregal speech, Mahatma Gandhi, Pandit Motilal Nehru, who was then Congress President, Mrs. Annie Besant, Sir Tej Bahadur Sapru, Mr. M. R. Jayakar among others publicly stated: ' We hope to be able to tender our co-operation with His Majesty's Government in their effort to evolve a scheme for a Dominion Constitution suited to India's needs.'

" Even after the Civil Disobedience Movement 1930, Gandhiji travelled to London to attend the Round Table Conference. But again to no purpose! The Government, shaken by the mass movement of 1930, only used the interval of the Gandhi-Irwin

Truce to reorganise its badly battered forces and strike Congress unawares.

"In fifteen years since, the Congress exhausted all avenues of negotiation before turning finally to direct action.

Cripps Hoax Exposed by Coupland :

"If the Cripps negotiations failed in 1942, it was because the offer was nothing better than a post-dated cheque. A confirmation of this comes from a most unexpected quarter, from Professor Coupland, who was on the advisory staff of Sir Stafford Cripps. 'The Draft Declaration,' he stated, 'did not represent any drastic change of policy . . . In principle, in fact, the Draft Declaration went no further than the August Offer' (of Lord Linlithgow, made in 1940).

"Two centuries of broken promises, cruel exploitation and ruthless repressions have made the Indian people more firm and fiercely determined than ever: We are not willing to wait any longer for complete and unconditional independence; we are prepared to make all and every sacrifice for it. The age of protracted negotiations and endless delays has passed. And don't ask of us an impossible national unity: Such unity exists neither in your own, nor in any other country on the Globe.

Bureaucracy Running Amuck :

"Only the other day, a British Admiral was threatening to sink the Royal Indian Navy, because 20,000 ratings under him were on protest strike against intolerable conditions and vicious racial dis-

crimination.

“ And a few days later, your War Department in India, against the unanimous wishes of the people, was busy spending ten lakhs of our money on celebrating a Victory Week, when the grim spectre of famine stared the country in the face.

“ Even today the humiliating spectacle of the I. N. A. trials is going on !

“ Any further delay is unbearable to us. Whenever Britain has been in hot waters, delaying tactics by the appointment of a Committee, a Commission, a Delegation has been its favourite device.

“ You will remember that, when the late Mr. E. S. Montague, then Secretary of State for India, visited this country late in 1917, he wrote in a letter to the British Government on February 28, 1918, the following tell-tale words : ‘ I have kept India quiet for six months at a critical period of the war, I have set the politicians thinking of nothing else ’—And he added that even if he failed in getting an agreed scheme, he was ‘ entitled to gratitude, on this score alone.’

“ You, gentlemen, have come to India at another critical juncture in our life. The British Government will naturally give you gratitude for occupying the minds of the Indian politicians for a few weeks or months, but the people of the country, hungry in body, mind and soul, can and shall, wait no longer !

Economic ruin : Your gift to us !

“ If this is the political picture, the chronicle of the economic history of British rule in India is no

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less distressing.

"The Independence pledge, which millions of Indians take every year on the 26th of January, accuses the British Raj of bringing about India's economic ruin. Pray, do not mistake this for the mere denunciatory rhetoric of a subject people.

"Overwhelming and unchallengeable testimony can be adduced to prove the charge: If ever a free and impartial Court of Justice were to hold an enquiry, the British ruling class will have to face a terrific indictment for most ruthlessly exploiting a fifth of humanity and sinfully hurling it down the valley of poverty and degradation.

"Do you, gentlemen, remember that your Viceroy, Lord Dalhousie, in his famous Minute on Railways (1853), drew the attention of the Court of Directors to '*great tracts of land, teeming with produce.*'

"The same country, after nearly a century of your administration, has to go abegging all over the world for food-grains. Do not blame it on nature, for, as your greatest friend amongst the freedom-loving Indians, Mahatma Gandhi, has said:

'Scarcity of rain is by no means a monopoly of India. In other countries, though people welcome rains, they have made themselves fairly independent of rainfall during a season or two. Here, Government have got used themselves and the public to the idea that famine comes when there is a shortage of waterfall. Had the mind been formed otherwise, they would have made adequate provision for short-fall.'

"A Memorandum on the Imperial Council of

Agricultural Research on the Development of Agriculture will tell you that 'Diet Surveys suggest that at least 30 per cent of the population of India, or over 100 million people, are habitually underfed in normal times.'

Ghastly Ravages of Imperialism :

"How did the British manage to ruin a country, *teeming with produce*? You may, perhaps, not know, but your own officer, one Richard Becher, President of the Murshidabad Council, knew it as far back as 1769. In his letter to the then Governor of Bengal he wrote :

" 'When the English first received the grant of Diwani, their first consideration seems to have been raising of as large sums of money from the country as could be collected, to answer the pressing demands from home and to defray the large expenses here.' The result was, 'this fine country, which flourished under most despotic and arbitrary Governments, is urging towards its ruin while the English have really such great a share in administration.'

"Does this also not explain to you, gentlemen, our pre-war agricultural indebtedness of 1,800 crores?

"The result of this triple drain—heavy land revenue assessments, the exactions of Money-lenders and of Zamindars (the latter two making a flourishing business, thanks to you), has been that :

"1. The country does not grow enough food, today, for the people the consumption per capita falling from $1\frac{1}{2}$ lbs. to 1 lb. before the war and to a

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mere 12 ozs., in the year of grace of your visit.

"2. Acute subdivision and fragmentation of land: in a village surveyed by Dr. Harold Mann, the size of an average holding had come down from 40 acres in 1871 to 7 acres in 1914-15. In the comparatively more fertile province of the Punjab 58.3 per cent. of holdings are below 5 acres. There are thousands of 'Toy Holdings' of $1/160$ acres of $30\frac{1}{4}$ square yards!

"3. There has been practically no increase during this century in the average yield of rice and wheat per acre, which remain about the lowest in the world.' (Royal Institute of International Affairs: 'A Food Plan for India' (1946).

Mark the Year :

"4. A progressively iniquitous rural class structure consisting of non-cultivating owners, and non-owning cultivators and landless labourers, 75 per cent. of land is tenant cultivated. The number of landless labourers has increased from $7\frac{1}{2}$ millions in 1882 to 33 millions in 1931. The number of rent receivers has increased by 62 per cent. between 1921 and 1931.

Wholesale Industrial & Trade Sabotage :

"The blind self-interest and greed of the British rulers are no less conspicuous in the field of trade and industry.

"India, during the Moghul period, was peerless in arts and craftsmanship. The "

Company, a Trojan Horse of British variety, for a while carried on a flourishing trade in Indian muslins and calicoes.

" But very soon as epoch-making event, aptly called the Industrial Revolution, converted your nation from a seafaring into a manufacturing country.

" The Board of Directors of the Company, which in a *fit of absent-mindedness* was conquering an Empire for you, clearly laid down your economic policy towards India.

Destruction of India's Native Manufactures :

" A letter dated 17th March, 1769 said: 'The Company desired that the manufacture of raw silk should be encouraged in Bengal and that of manufactured fabric should be discouraged.'

" As the Select Committee (1783) on the Administration of Justice in India pointed out, the letter 'contained a perfect plan of policy both of compulsion and encouragement which must in a very considerable degree operate destructively to the manufacturer of Bengal. Its effects must be to change the whole face of the industrial country, in order to render it field for the produce of crude materials subservient to manufacturers of Great Britain.'

" The Select Committee was not wrong, for between 1914 and 1935, India's exports of cotton manufacturers to Great Britain decreased from 1,266,608 pieces to 306,086 and imports of British manufactures in India increased from 818,208 yards.

to 51,777,277 yards.

"And during the period, the population of Dacca, the Indian Manchester, fell from 1,50,000 to 20,000.

Agriculture Disrupted: Industry Destroyed:

"Montgomery Martin, answering a question (No. 3877) asked by the Select Committee of the House of Commons (1840), had the frankness to admit that 'the decay and destruction of Surat, of Dacca, of Murshidabad, and other places, where native manufactures have been carried on, is too painful to dwell upon. I do not consider that it has been done in the fair course of trade. *I think it has been the power of the stronger exercised over the weaker.*'

"This 'power of the stronger' has been exercised through a variety of notorious devices: through discriminatory tariffs and imperial preferences, through an over-valued currency, a monopoly of exchange banking, which encouraged British exports and discouraged the Indian through Trade Agreements enforced in the teeth of opposition of Indian Legislatures, through discriminating railway rates encouraging foreign trade to the detriment of the internal trade, through dubious trade practices like rate wars and deferred rebates to cite only a few of the more glaring examples!

"The result, once again, is similar to the one achieved by your agricultural policy:

"1. An occupational disequilibrium of the population: 70,6 per cent. in Agriculture, 17,4 per cent. in

Industry, Trade and Transport taken together.

"2. Millions of unemployed and under-employed, especially agriculturists.

"3. A humiliating industrial backwardness: to give but one example: up to 1939 the Indian Merchant Shipping had a tonnage of 1,31,748, as against 8,63,000 of a single Imperialist Trading concern, like the Standard Oil Company. You, no doubt, are aware of the fact, that members of Lowjee Wadia family built 13 vessels for the British Admiralty between 1810 and 1821.

"The sum total of two centuries of your economic suzerainty over India is poverty, degradation and a sub-human standard for one fifth of humanity. It may be summarised thus :

"1. 60 per cent. of our people are 'either badly or poorly nourished'(Sir John Magaw, ex-Director-General of Public Health, Government of India) and that 'the diet of the mass of population is deficient in quality (per capita consumption of milk is 5 ounces, as against 39 in England) and often in quantity, and much of the ill-health and disease in India are attributed to malnutrition. (Dr. Ackryd, Director Nutrition Research Laboratories, Coonoor).

"2. That our milk contains more bacteria than the London sewage-water. (Mr. R. A. Pepperall, Milk Marketing Adviser to the Government of India).

You made the adulteration of Indian cotton a penal offence as early as 1829. Are not Cotton or Milk the British version for Guns or Butter?

" 3. 97 per cent of the working class in Bombay live in one room tenements with 6 to 9 persons to a room. [Royal (Whitley) Commission on Indian Labour].

The slums of Calcutta are so awful that Mrs. Murial W. Nichol, of the recent All-Party Parliamentary Delegation, had not imagined anything like them in her sickest dreams. 'We have been in India for 150 years and it is a disgrace,' she said, 'that these things should exist.'

" 4. In Bombay, 281 out of every 1,000 children born alive, die within one year, as against only 48 in London !

" 5. 'Every year at least 100 million persons are attacked by malaria, and malaria by its direct and indirect action is almost certainly responsible for at least 2,000,000 deaths each year.' (Lieut.-Col. J. A. Sinton, once Director, Malaria Survey of India).

" 6. Tuberculosis accounts for 270 deaths in 1,00,000 persons in Calcutta, as against 97 in London. Dysentery and diarrhoea for 252 in Bombay, as against nil in London, Typhoid 90 in Calcutta against 0.4 in London. Or do you think we must not compare ourselves with you, but only with the Asiatics? Even at that, Smallpox takes a toll of 24.4 per 1,00,000 in British India, against 0.02 in Japan and nil in the Dutch East-Indies. Cholera of 46.2 in British India against nil in Japan and 13 in Indo-China. (G. B. Grant, Director of the All-India Institute of Hygiene and Public Health).

" 7. 85 per cent of the Indian people are illiterate. One in every five children of school-going age attends a school. At this rate of progress, it will

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take 140 years to reach complete literacy in India! And you spend Rs. 0-8-9 per head of population on education, as against Rs. 33-2-0 in your country.' (Sargent Report on Post-War Educational Development).

"8. We have in India one doctor per 9,000 persons and one nurse per 86,000. The comparative figures for your country being one doctor for 776 persons and one nurse for 435 persons.

Legacy of Hunger, Disease and Death :

"A hundred and fifty years was a long time to experiment with the health and welfare of 400 million people.

You and your country, gentlemen, have given a fair trial to your civilising mission and succeeded in endowing us with hunger, death and disease: it could not be otherwise for, to quote Gandhiji again—whose words do not escape him without his knowledge—you 'tinkered with the problem'—and naturally so.

"The official world was taught to think no better. Originally there can be none in a close monopoly like the Government of India. It is the largest autocracy the world has known. Democracy has been reserved only for Great Britain. And when it rules and exploits millions belonging to other races, it becomes an unmitigated evil. It corrupts the whole island with the 'idea that such exploitation is the best thing for an enlightened democracy to do.' (*Harijan* : 17-2-46).

Mark the date, it is not 8th August 1942!

"One thing more. Corresponding to the class of loyal absentee landlords in agriculture, you have encouraged a class of coupon-cutting Capitalists to grow in the Indian industry who are most eager now to join you in junior partnership, if you will but keep the urban coolies in check and rural ryots in ignorance.

"This is the same class of blood-suckers that, during the (last) six years of toil, blood, sweat and tears, paid you an Excess Profits Tax of Rs. 200 crores. The Brutus of India's economy will, at least, be grateful for the magnificent inflation, which he wanted us to believe, was just a little scarcity of goods!

"When the common man was asked to tighten the belt on an empty stomach, when more and more necessities of life were passing beyond the reach of workers, peasants, and the middle class—he made excess profits, legally and through black-market, by bribing your officers.

"When cloth prices were soaring sky-high—they went up by 400 per cent before the Government of India thought of controlling them—and the *per capita* consumption of cloth was falling from the pre-war 17 yards to 10, the Textile Shares on the Stock Exchange were experiencing an unprecedented boom.

"Or when the coolies and ryots of Bengal were dying by thousands, this class made, according to Woodhead Famine Enquiry Commission, a profit of Rs. 150 crores—equivalent to Rs. 1,000 per death!

Your Devils' Pact with Capitalists :

" Your officers in India have been kind to them, by refusing to institute controls, by leaving loopholes, technical flaws—in control legislation, which obliging Advocates easily discovered, and law-abiding judiciary was constrained to recognise, by 'transferring' officers who are caught accepting bribes, or by budget leakages and whisperings of 'confidential' information.

" This class wants us to be patiently fair and non-violent. While they talk of political freedom, they do not mind your forgoing economic chains—provided, of course, you let them retain their excess profits!

" Gentlemen, you are Labourites pledged to Social Democracy. For God's sake do not be tempted into such an unholy alliance with these Cosgraves of economic variety—for reasons similar to those we have mentioned in the political context!

" These then are the facts, political and economic, about British Rule in India. It may be urged and with a show of plausibility that the responsibility for these misdeeds lies at the door of Imperialist Britain, and not with the Socialist Britain, your Britain, that is emerging.

Labour no Better Than Tories :

" But have we not heard this argument once too often?

" When last year your remarkable electoral victory swept the British Labour Party into power.

India rejoiced to think that, at long last, the bastions of privilege had collapsed in one of the great nations of the earth.

" Even though there was nothing in the record of the two previous Labour Governments about India, to inspire us with any hope—and much to forbid such a hope!—we rejoiced at the thought that reaction had received a mighty blow in the premier Imperialist country in the world.

" The best part of a year has since gone by: whatever may be your achievements on the home front, so far as the oppressed people of Asia and Africa are concerned, the skies are unlit by a single ray of hope.

Labour Government Betrays Social Democracy.

" In our own country, blood and terror have been let loose upon a people grown well-nigh desperate under a fascist tyranny without parallel in the contemporary world.

" As if this were not enough—as if to drive bitterly home to us the fact to our slavery—Indian troops have been employed to suppress the new-won liberties of our brethren in Indonesia, Indo-China and elsewhere.

" Mr. Churchill with a frankness rare in the annals of diplomacy stated that he had not become the first Minister of His Majesty's Government to preside over the liquidation of the British Empire.

" Your Labour Government, in their turn, far from liquidating the Empire, are actually helping to

revitalise the paralysed limbs of sister Dutch and French Imperialisms.

"That you, who escaped national disaster by a hair's breadth at Dunkirk should seek with our helpless blood to enslave the victims, not only of your own exploitation, but of your associated powers also, has created a bitterness not easy to live down.

The Only Terms India will Accept :

"If, despite all this, the ravages that British Imperialism has wrought upon India, are to be repaired and a new chapter is to be opened, the terms that India would accept are not difficult to formulate !

"1. Complete independence outside the British Empire.

"2. The British Army of occupation to be withdrawn immediately.

"3. The people of India to be left free to solve their own external and internal problems, including those relating to the minorities and the princes.

"4. Economic sovereignty and the fullest power to restrict, regulate and control imports and exports, from all countries, including Great Britain, and the disposal of sterling balances that have accumulated during the course of the war in England, in accordance with the wishes of the Indian people.

The Case for Freedom :

" The case for Indian freedom is, therefore, overwhelming. Freedom is needed for peace and prosperity of the four hundred millions of her people. May it not be said to you, gentlemen, that it is imperative if the vision that guides the best elements in the British Socialist Movement is to be woven into the fabric of the world, if humanity is to be saved from the horrors of war, hunger and totalitarianism ?

" If Indian freedom is sought to be abridged on the plea of external danger or internal differences, the make-believe will not last long.

" The discontent in India will fully drain the strength of Britain, which is no longer the mistress of the seas or the workshop of the world. It will also seriously hamper Britain's efforts at economic rehabilitation.

" India's volcanic energy will seek explosive outlets. Disruption will be welcomed, foreign and hostile infiltration will evoke ready response. A rebel India will be a perpetual thorn in the side of Britain. India will, of course, in her turn bleed and suffer, but triumph she will, in the end."

This was the ultimatum which India gave to the British Cabinet Mission coming to her with the trust of the British people, and professing a wish that India should become 'self-governing without a day's avoidable delay.'

CHAPTER II

THE CABINET MISSION ARRIVES

"India is our prize possession. We in England have to live on it; the Indians may live in it... It is the task of you, the younger generation, to hold India to the last drop of your blood."

—*Lord Birkenhead to
Oxford Students in 1927.*

"As between the two major Indian parties, I still regard the situation with hope, but nothing can be done at a distance. The Government must say that there will be transfer of power at a certain date. Then immediately after the elections and purely as an interim measure, an Executive Council should be formed from a panel contributed by the Prime Minister of every province.

"It should even be possible to bring India's two major parties together even on the vexed problem of Pakistan. Obviously Mr. Jinnah is in a difficult position because of the present election results, but there could be some truncation of principles by Mr. Jinnah which would allow of an amicable settlement.

"I am certain something could be done with the idea of Muslim provinces retaining their own special identity, perhaps on the principle of dominion status, but fully co-operating with the rest of India for all-India purposes.

"Perhaps even the North-West Frontier Pro-

vince, which has voted so strongly for the Congress, would listen to Mr. Jinnah if something on these lines were propounded. The Congress has virtually conceded Pakistan to this degree. The Secretary of State should explore this situation."

This was what Mr. R. V. Sorensen, one of the ten members of the All-Parties Parliamentary Delegation to India in January-February 1946 declared in an interview on his return to England. The delegation met the Prime Minister within a few hours of its arrival back in London, and its members painted a picture of the urgency of the political situation in India as it appeared to them.

Accordingly, on February 16, it was believed in political quarters of London that the British Government was expected to make, within a few days' time, an announcement that the Secretary of State for India, Lord Pethick-Lawrence, and the Under-Secretary of State, Mr. Arthur Henderson, would leave for India shortly. It was further suggested that the expected purpose of such a visit by the two Ministers, who might be accompanied by a third important person, was that of consultation with the Viceroy of India, and various Indian nationalist leaders on the setting up of a Constituent Assembly to draw up a new Constitution for India.

On February 19, it was announced from London that three British Cabinet Ministers were coming to India to discuss with leaders of Indian opinion the framing of an Indian Constitution. They were Lord Pethick-Lawrence, Secretary of State for India, Sir Stafford Cripps, President of the Board of Trade, and Mr. Albert V. Alexander, First Lord of the Admiralty. This was officially announced in the House of Lords by Lord Pethick-Lawrence

said: "The House will recall that on September 19 last year, on his return to India, after discussions with the British Government, the Viceroy made a statement of policy in the course of which he outlined the positive steps to be taken immediately after the Central and Provincial elections to promote in conjunction with leaders of Indian opinion the early realization of full self-government in India. Those steps include:

"First, preparatory discussions with elected representatives of British India and with Indian States in order to secure the widest measure of agreement as to the method of framing a Constitution.

"Second, the setting up of a Constitution-making body, and

"Third, the bringing into being of an Executive Council having the support of the main Indian parties."

Further, Lord Pethick-Lawrence explained that the announcement did not alter the statement made by Lord Wavell in September last about framing a Constitution for India. He said that the Viceroy's hands would be strengthened by the presence of members of the Government.

"It remained", he added, "the intention of the British Government that it was for Indians to decide the basis of their own constitutional structure.

"The Mission would act as representative of the Cabinet in India, and carry the authority of the Cabinet."

On March 15, the Prime Minister, Mr. C. R. Attlee declared in the House of Commons, that 'the British Cabinet Mission to India was going out, resolved to succeed'. He added that he was sure everyone would wish them god-speed.

"What form of Government," Mr. Attlee said, is to replace the present regime, is for India to decide, but our desire is to help her set up forthwith a machinery for making that decision. There you have met with the initial difficulty of getting that machinery set up, but we are resolved that the machinery shall be set up, and we seek the utmost co-operation of all Indian leaders to do so.

"We are mindful of the rights of the minorities, and the minorities should be able to live free from fear. But we cannot allow a minority to place their veto on the advance of a majority."

"India", he added, "must choose as to what will be her future situation and her position in the world. Unity may come through the United Nations or through the Commonwealth, but no great nation can stand alone by herself without sharing what is happening in the world."

After expressing a hope that India would elect to remain within the British Commonwealth, Mr. Attlee declared: "If on the other hand she elects for independence and in our view she has a right to do so—it will be for us to make the transition as smooth and easy as possible."

Sir John Anderson, a former Governor of Bengal, who spoke to the House after Mr. Attlee, said that a solution of the Indian problem was urgent. He pointed out that "we cannot simply throw the apple

of discord into the Indian arena and run away."

On March 22, on the eve of the Mission's arrival in India, Sardar Vallabhbhai Patel discussed the prospects of the forthcoming negotiations, and following points were issued to the press :

1. India demands immediate transfer of power. She can brook no further delay.

2. The Congress is prepared to provide adequate safeguards to protect the legitimate minority interests, but is not prepared to accept Mr. Jinnah's demand for the division of India.

3. The Congress does not envisage any serious trouble if real power is transferred.

4. The next few weeks will present the biggest and perhaps the last opportunity to Britain to settle the Indian question amicably.

5. The present bitterness between Britain and India will disappear, and a friendly alliance between the two countries is possible if power is transferred immediately.

6. In international and foreign affairs, independent India will always stand for world peace. She has no aggressive intention.

7. Independent India will have her own army strong enough for internal and external defence. But she will not require a huge standing army as other nations, because she has no intention of external aggression.

8. Independent India will try to maintain

friendship with all nations.

Sardar Patel further declared : " While I do not attach much importance to promises and declarations and always prefer to await action, I must say that the recent declaration of the British Premier, Mr. Clement Attlee, in Parliament, was clear and had an undoubted ring of sincerity about it.

" For the first time in recent years, the British Government have changed their attitude regarding minorities. The Congress has always been for the protection of the legitimate rights of the minorities, but during the war the British Government adopted an attitude of 'do nothing' until an agreement had been reached between the Muslim League and the Congress, and at the same time encouraged the Muslim League to adopt an obstructive attitude by making impossible demands, thus providing the League with the power of veto, which it effectively exercised throughout the period of the war. I am glad that the British Prime Minister has now made it clear that no minority will be allowed to stop the progress of the majority. *His declaration refers only to the Muslim League.*

"The Congress will meet the legitimate demands of the minorities and provide them with all reasonable safeguards, but it cannot concede the impossible demand for the partition of India,—the Pakistan demand of Mr. Jinnah.

" The partition proposed by Mr. Jinnah will not only be unfair to the Hindu and Sikh minorities in the Punjab and Bengal, but actually endanger the safety of both the constituent parts.

" The Congress Working Committee has in its

resolution gone to the maximum extent possible in meeting the Muslim League demand for self-determination. That resolution says the Congress cannot agree to any proposal to disintegrate India by giving liberty to any component state or territorial unit to secede from the Indian union or federation. The Congress has been wedded to Indian freedom, and unity and any break in that unity, especially in the modern world when people's minds inevitably think in terms of ever larger federation, would be injurious to all concerned and exceedingly painful to contemplate.

"Nevertheless, the committee also declared, it cannot think in terms of compelling the people in any territorial unit to remain an Indian union against their declared and established will. This is the farthest limit to which the Congress can go. No reasonably minded person can expect anything more than this.

"The Muslim League has adopted this obstructive attitude since the commencement of the war. This unequivocal declaration of the British Government in regard to the minority has now made Mr. Jinnah angry, and perhaps afraid. His recent statement seems to have been the result of the realization that the ground is rapidly slipping from under his feet."

Sardar Patel further added: "Whether England will have the good sense to give us independence immediately, I do not know. But I know this much that we want independence, not Dominion Status, but independence immediate, here and now. When the British people talk of Dominion Status, it always raises a suspicion in our minds for the reason that India cannot be a dominion in the sense that Canada or Australia is because our culture and

our civilization are different from the culture and civilization of either Britain or the Dominions. Furthermore, India can never be a dominion of Great Britain because India is many times vaster in size and population and potentialities than Britain and all the dominions put together.

"How then can India, which is determined to be independent, accept a status in the British Commonwealth? When the British insist upon this status, there is a suspicion in our minds that it will eventually turn out to be not Dominion Status but an entirely new relationship in which Britain will have an ever dominating position."

The Cabinet Mission landed at Mauripur Airport, Karachi on Saturday the 23rd March, 1946. Lord Pethick-Lawrence, alighting from the plane, announced to the press: "As my colleagues and I set foot on the soil of India, we bring to the people of this country on behalf of the British people a message of cordial friendship and good-will. We have come to settle with India and not to adjudicate on the rival claims of different political parties and settle disputes among them."

He added: "We are convinced that India is on the threshold of a very great future. When in the exercise of her freedom she will stand for the preservation of civilization in the East and bring her great influence to bear in the counsels of the nations.

"We have come but with one purpose in view. It is, in conjunction with Lord Wavell, to discuss with the leaders of India and her elected representatives how best to speed up the fulfilment of your aspirations to take full control of your own affairs and thus enable us to complete the transfer

of responsibility with pride and honour to ourselves.

"The British Government and the British people desire without reservation to consummate the promises and pledges that have been made and we can assure you that in our negotiations we shall not seek to provide for anything that is incompatible in any way to the sovereign dignity of India."

II

On Sunday, March 24, the Mission arrived in Delhi.

At a press conference held in New Delhi on the following day, Lord Pethick-Lawrence declared: "You all know the general purpose of the discussions on which we shall be engaged. It was stated by Mr. Attlee, our Prime Minister, in his speech in the House of Commons on March 15. The discussions now to begin are preliminary to the setting up of a machinery whereby the forms under which India can realize her full independent status can be determined by Indians. The objective is to set up an acceptable machinery quickly, and to make the necessary interim arrangements."

"Mr. Attlee in his speech which, in the subsequent debate, was shown to represent substantially the views of all parties, made it quite clear that if Indians should decide that they desire, under their new constitutional arrangements, to be outside the British Commonwealth of Nations, His Majesty's Government recognize their right to take that decision. We believe ourselves that India will find great advantages in remaining within the free association

of the British Commonwealth. But it is a free association and we have no desire to press India to stay within it against her considered judgment."

Further, he stated: "There are two matters connected with our programme that I should like to mention today. We are receiving a great number of requests from organizations and individuals all over India who wish us to hear their views in person. I must make it quite clear that I and my colleagues have come here for the single purpose which I have already described to you. We have no wish to deny a hearing to anyone, but it is quite impossible for us to meet all who would wish us to see them. We shall, therefore, limit ourselves to seeing those who are judged to be best able to help us in our task."

Concluding, he said: "We have come with only one fixed intention, and that is to play our full part as representing His Majesty's Government in helping Indians to achieve their independence. Beyond that we have open minds and are not committed to any particular views. But that does not mean that we come in a hesitant or indecisive frame of mind. We come to enable Indians to take their place and play their full part amongst the great nations of the world; and with the determination to bring our discussions to be as decisive and friendly conclusions, we hope, with the goodwill of all the inhabitants of this great country."

III

After this introductory statement, the Mission set to work by starting the round of formal interviews with leaders of various minorities, representatives of different communities other than Muslim and

Hindu, coming under the respective organisations of the Muslim League and the Congress, and the princes, and premiers and ministers of the provinces. In the meantime, the Committees of the Muslim League and the Congress held their meetings to chalk out their respective plans of action and to give necessary instructions to their respective spokesmen.

The Muslim League Legislators' Convention consisting of 450 members of the Central and Provincial Assemblies met at Delhi on April 9 under the presidency of Mr. Jinnah. After hours of deliberation, fiery speeches and amidst scenes of enthusiasm each member present took the following pledge :

" I do hereby solemnly declare my firm conviction that the safety and security, and the salvation and destiny of the Muslim nation inhabiting the sub-Continent of India lie only in the achievement of Pakistan which is the one equitable, honourable and just solution of the constitutional problem and which will bring peace, freedom and prosperity to the various nationalities and communities of this great sub-Continent.

" I most solemnly affirm that I shall willingly and unflinchingly carry out all the directions and instructions which may be issued by the All-India Muslim League in pursuance of any movement launched by it for the attainment of the cherished national goal of Pakistan, and, believing as I do in the rightness and the justice of my cause, I pledge myself to undergo any danger, trial or sacrifice which may be demanded of me."

Of the several speeches made at the Convention amidst the cries of '*Qaid-i-Azam Zindabad*', and

'*Pakistan Zindabad*' by the fervid Muslim crowd, he delivered by Sir Firoz Khan Noon created in the press, and deserves a special mention.

He declared in ringing tones: "We are on the threshold of a great tragedy, because neither the Hindus nor the British realize the depth of our feeling."

If the Hindus give us Pakistan and freedom, the Hindus are our best friends. If the British give it to us, then the British are our best friends. If neither will give it to us, then Russia is our friend.

"Even if we have to die fighting, we shall see our children will never be slaves of Akhandistan."

"We shall show these blood-sucking Marwaris we can raise the standard of living in Pakistan higher than in any other country in the East. Machines are so manipulated today that machinery is allowed to go into Pakistan. As a former member of the Government of India, I know that machinery worth crores of rupees has been imported into India during the war, but not one bit has been allowed to go into Pakistan."

"Unless you have political, economic and religious freedom, you will, in 40 years, be worse off than the Scheduled Castes."

"If the British Cabinet Mission, in conspiracy with the *banias*, leave India with a 'piece of paper' signed between them for 'peace in this country, that peace will be as shortlived as the one Mr. Chamberlain negotiated with Hitler at Munich."

"With this Hindu mentality, and this *Shuddhi* movement, if you fall into this trap and lose political

power, you will lose something dearer than life itself
—your Faith.

“If Great Britain puts us under the Hindu Raj, let us tell Great Britain that the destruction and havoc that the Muslims will do in this country, will put into the shade what Changiz Khan did.

“If our actual course is to fight, and if in that fight we go down, the only course for the Muslims is to look to Russia, and there is a big movement in the Punjab in favour of Communism, as they say that is the only way to freedom in view of Akhand Hindustan. If we have to win our freedom that way, I will be the first to lose every rupee I have in order that we may be free in this country.”

The Working Committee of the Congress on their side met at the President, Maulana Azad's residence in Delhi on April 15. The Maulana put forth a new formula for solving the political deadlock in the country. “The situation in India is such,” said he, “that all attempts to establish a centralised and unitary government are bound to fail. Equally doomed to failure is the attempt to divide India into two States.”

He added: “The formula which I have succeeded in making the Congress to accept, secures whatever merit the Pakistan scheme contains, while all its defects and drawbacks are avoided. The basis of Pakistan is the fear of interference by the Centre in Muslim majority areas as the Hindus will be in a majority in the Centre. The Congress meets this fear by granting full autonomy to the provincial units and vesting all residuary power in the provinces. It also has provided for two lists of Central subjects,

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one compulsory and one optional, so that if any provincial unit so wants, it can administer all subjects itself except a minimum delegated to the Centre. *The Congress scheme, therefore, ensures that the Muslim majority provinces are internally free to develop as they will, but can at the same time influence the Centre on all issues which affect India as a whole.*

"The situation in India is such that all attempts to establish a centralized and unitary government are bound to fail. Equally doomed to failure is the attempt to divide India into two States. After considering all aspects of the question, I have come to the conclusion that the only solution can be on the lines embodied in the Congress formula which allows room for development both to the provinces and to India as a whole. The Congress formula meets the fear of the Muslim majority areas to allay which the scheme of Pakistan was formed. On the other hand, it avoids the defects of the Pakistan scheme which would bring the Muslims where they are in a minority under a purely Hindu government.

"I am one of those who consider the present chapter of communal bitterness and differences as a transient phase in Indian life. I firmly hold that they will disappear when India assumes the responsibility of her own destiny...When India attains her destiny, she will forget the present chapter of communal suspicion and conflict and face the problems of modern life from a modern point of view. Differences will no doubt persist, but they will be economic, not communal. Opposition among political parties will continue, but they will be based not on religion but on economic and political issues. Class and not community will be the basis of future align-

ments, and policies will be shaped accordingly. If it be argued that this is only a faith which events may not justify, I would say that in any case the nine crores of Muslims constitute a factor which nobody can ignore and whatever the circumstances, they are strong enough to safeguard their own destiny."

IV

The Cabinet Mission, having informally discussed with Mr. Jinnah and Maulana Azad the various methods of approach to the solution of the problem of setting up an interim government and the summoning of a constitution-making body, issued the following statement on Saturday the 27th April :

" On their return from Kashmir (where they had been on a short holiday during the Easter), the Cabinet Delegation decided to initiate by informal contacts a further attempt to find a basis for a settlement by agreement between the two main parties. As a result, the Delegation have today invited the Presidents of the Congress and of the Muslim League to nominate representatives of the Working Committee of the Congress and the League respectively to meet together with the Delegation to continue the negotiations." It was a good proposal, for the Cabinet Mission's suggestions for their joint meeting was in line with the Congress policy, and Maulana Azad on receiving the invitation declared : " We have always been ready to negotiate." The Congress Working Committee, accordingly, authorised Maulana Azad, Pandit Jawaharlal Nehru, Sardar Vallabhbhai Patel and Khan Abdul Ghaffar Khan to represent the Congress, while the Working Committee of the Muslim League authorised Mr. Jinnah, Nawab Mohd. Ismail Khan, Nawab-

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zada Liaqat Ali Khan, and Sardar Abdur Rab Nishtar to participate in the Tripartite Conference proposed by the Cabinet Mission. The Cabinet Delegation, thus, entered upon its third and decisive stage of work.

The details of this Conference are given in the following pages.

CHAPTER III

FUNDAMENTAL DIFFERENCES

"The loss of India, however arising, would be final and fatal to us. It could not fail to be part of a process which would reduce us to the scale of a minor power . . . The loss of India would mark and consummate the downfall of the British Empire. The great organism would pass at a stroke out of life . . . If, guided by counsels of madness and cowardice disguised as false benevolence, you troop home from India . . . you will find famine to greet you on the horizon on your return."

— *Winston Churchill.*

The Tripartite Conference of the Cabinet Mission and the Viceroy, and the representatives of the Congress and the Muslim League opened on Sunday, the 5th May, to arrive at a settlement between the two major political parties—Hindus and Muslims—in India. The talks came near a breakdown on the 8th. Meetings between Pandit Jawaharlal Nehru and Mr. Jinnah, however, continued, but all efforts to overcome their fundamental differences and to produce an agreement between the Congress and the League on the question of a long-term settlement,—which was the primary objective of the Mission—having failed, the Conference came to an end finally on the 12th May.

The following is the text of the correspondence and documents connected with the Conference

which reveal the points of fundamental differences between the parties.

Letter from Lord Pethick-Lawrence to Maulana Abul Kalam Azad and Mr. Jinnah, dated 27th April, 1946.

The Cabinet Mission and His Excellency the Viceroy have carefully reviewed the opinions expressed to them by the various representatives they have interviewed and have come to the conclusion that they should make one further attempt to obtain agreement between the Muslim League and the Congress.

They realise that it would be useless to ask the two parties to meet unless they were able to place before them a basis of negotiation which could lead to such an agreement.

I am therefore asked to invite the Muslim League to send four negotiators to meet the Cabinet Mission and the Viceroy together with a similar number from the Congress Working Committee with a view to discussing the possibility of agreement upon a scheme based upon the following fundamental principles :—

The future constitutional structure of British India to be as follows :—

A Union Government dealing with the following subjects :—

Foreign Affairs, Defence and Communications.

There will be two groups of Provinces, the one of the predominantly Hindu Provinces and the other of

the predominantly Muslim Provinces, dealing with all other subjects which the provinces in the respective groups desire to be dealt with in common. The Provincial Governments will deal with all other subjects and will have all the residuary sovereign rights.

It is contemplated that the Indian States will take their appropriate place in this structure on terms to be negotiated with them.

I would point out that we do not think it either necessary or desirable further to elaborate these principles as all other matters could be dealt with in the course of the negotiations.

If the Muslim League and Congress are prepared to enter into negotiations on this basis, you will perhaps be so good as to let me know the names of the four people appointed to negotiate on their behalf. As soon as I receive these I will let you know the locus of the negotiations which will, in all probability, be in Simla, where the climate will be more temperate.

II

Letter from the President of the Congress to Lord Pethick-Lawrence, dated 28th April 1946.

I thank you for your letter of April 27th. I have consulted my colleagues of the Congress Working Committee in regard to the suggestion made by you, and they desire me to inform you that they have always been willing to discuss fully any matters concerning the future of India with representatives of the Muslim League or any other organisation. I must point out, however, that the "fundamental

principles" which you mention, require amplification and elucidation in order to avoid any misunderstanding.

As you are aware, we have envisaged a Federal Union of autonomous units. Such a Federal Union must of necessity deal with certain essential subjects of which Defence and its allied subjects are the most important. It must be organic and must have both an executive and legislative machinery as well as the finance relating to these subjects and the power to raise revenues for these purposes in its own right.

Without these functions and powers it would be weak and disjointed and defence and progress in general would suffer. Thus among the common subjects, in addition to Foreign Affairs, Defence and Communications, there should be Currency, Customs, Tariffs and such other subjects as may be found on closer scrutiny to be intimately allied to them.

Your reference to two groups of Provinces, the one of the predominantly Hindu Provinces and the other of the predominantly Muslim Provinces, is not clear. The only predominantly Muslim Provinces are the North-West Frontier Province, Sind and Baluchistan. Bengal and Punjab have a bare Muslim majority. We consider it wrong to form groups of Provinces under the Federal Union and more so on religious or communal basis.

It also appears that you leave no choice to a Province in the matter of joining or not joining a group. It is by no means certain that a Province as constituted would like to join any particular group. In any event it would be wholly wrong

to compel a Province to function against its own wish. While we agree to the Provinces having full powers in regard to all remaining subjects as well as the residuary powers, we have also stated that it should be open to any Province to exercise its option to have more common subjects with the Federal Union. Any sub-federation within the Federal Union would weaken the Federal Centre and would be otherwise wrong. We do not, therefore, favour any such development.

Regarding the Indian States we should like to make it clear that we consider it essential that they should be parts of the Federal Union in regard to the common subjects mentioned above. The manner of their coming into the Union can be considered fully later. ~

You have referred to certain "fundamental principles" but there is no mention of the basic issue before us, that is, Indian independence and the consequent withdrawal of the British army from India: It is only on this basis that we can discuss the future of India, or any interim arrangement.

While we are ready to carry on negotiations with any party as to the future of India, we must state our convictions that reality will be absent from any negotiations whilst an outside ruling power still exists in India.

I have asked three of my colleagues of the Congress Working Committee, namely, Pandit Jawaharlal Nehru, Sardar Vallabhbhai Patel and Khan Abdul Ghaffar Khan to accompany me in any negotiations that may take place as a result of your suggestion.

III

Letter from the President of the Muslim League to Lord Pethick-Lawrence, dated 29th April, 1946.

I thank you for your letter of the 27th April, which I placed before my Working Committee yesterday morning.

My colleagues and I fully appreciate the further attempt that the Cabinet Mission and His Excellency the Viceroy are making to bring about an agreement between the Muslim League and the Congress by proposing a meeting of the representatives of the two organisations for the purpose of negotiating an agreement. They, however, desire me to invite your attention to the position taken up by the Muslim League since the passing of the Lahore Resolution in 1940 and, thereafter, successively endorsed by the All-India Muslim League Sessions and again by the Convention of the Muslim League Legislators, as recently as the 9th of April, 1946, as per copy enclosed.

The Working Committee desire to point out that many important matters, both of principle and detail, in your brief letter require elucidation and clarification, which, in their opinion, can be achieved at the meeting proposed by you.

Therefore, without prejudice or commitment, the Working Committee, in their anxiety to assist in finding an agreed solution of the Indian constitutional problem, have authorised me to nominate three representatives on behalf of the Muslim League to participate in the negotiations.

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The following are the four names :—

1. Mr. M. A. Jinnah ; 2. Nawab Mohammad Ismail Khan ; 3. Nawabzada Liaquat Ali Khan, and
4. Sardar Abdur Rab Nishtar.

IV

Enclosure to Mr. Jinnah's letter to Lord Pethick-Lawrence, dated 29th April, 1946.

Resolution, passed by the Subjects Committee, to be placed before the All-India Muslim League Legislators' Convention on April 9, 1946.

Whereas in this vast sub-continent of India a hundred million Muslims are the adherents of a Faith which regulates every department of their life (educational, social, economic and political), whose code is not confined merely to spiritual doctrines and tenets or rituals and ceremonies and which stands in sharp contrast to the exclusive nature of Hindu Dharma and Philosophy which has fostered and maintained for thousands of years a rigid Caste System resulting in the degradation of 60 million human beings to the position of untouchables, creation of unnatural barriers between man and man and superimposition of social and economic inequalities on a large body of the people of this country, and which threatens to reduce Muslims, Christians and other minorities to the status of irredeemable helots, socially and economically.

Whereas, the Hindu Caste System is a direct negation of nationalism, equality, democracy and all the noble ideals that Islam stands for.

. Whereas, different historical backgrounds, traditions, cultures and social and economic orders of the Hindus and Muslims have made impossible the evolution of a single Indian nation inspired by common aspirations and ideals and whereas after centuries they still remain two distinct major nations.

Whereas, soon after the introduction by the British of the policy of setting up political institutions in India on the lines of Western democracies based on majority rule which meant that the majority of one nation or society could impose its will on the majority of the other nation or society in spite of their opposition as was amply demonstrated during the two and a half years' regime of Congress Government of India Act, 1935, when the Muslims were subjected to untold harassment and oppression as a result of which they were convinced of the futility and ineffectiveness of the so-called safeguards provided in the Constitution and in the Instrument of Instructions to the Governors and were driven to the irresistible conclusion that in a United Indian Federation, if established, the Muslims even in majority Provinces would meet with no better fate and their rights and interests could never be adequately protected against the perpetual Hindu majority at the Centre.

Whereas, the Muslims are convinced that with a view to saving Muslim India from the domination of the Hindus and in order to afford them full scope to develop themselves according to their genius, it is necessary to constitute a sovereign independent State comprising Bengal and Assam in the North-East zone and the Punjab, North-West Frontier Province, Sind and Baluchistan in the North-West zone.

This Convention of the Muslim League Legislators of India, Central and Provincial, after careful consideration hereby declares that the Muslim Nation will never submit to any constitution for a United India and will never participate in any single constitution-making machinery set up for the purpose, and that any formula devised by the British Government for transferring power from the British to the peoples of India, which does not conform to the following just and equitable principles calculated to maintain internal peace and tranquillity in the country, will not contribute to the solution of the Indian problem :—

1. That the zone comprising Bengal and Assam in the North-East and the Punjab, North-West Frontier Province, Sind and Baluchistan in the North-West of India, namely, Pakistan zones, where the Muslims are in a dominant majority be constituted into a sovereign independent State and that an unequivocal understanding be given to implement the establishment of Pakistan without delay ;

2. That two separate constitution-making bodies be set up by peoples of Pakistan and Hindustan for the purpose of framing their respective constitutions;

3. That the minorities in Pakistan and Hindustan be provided with safeguards on the lines of the All-India Muslim League Resolution passed on the 23rd March 1940, at Lahore ;

4. That the acceptance of the Muslim League demand of Pakistan and its implementation without delay are the *sine qua non* for the Muslim League co-operation and participation in the formation of an interim Government at the Centre.

This Convention further emphatically declares that any attempt to impose a constitution on a United India basis or to force any interim arrangement at the Centre contrary to the Muslim League demand will have the Muslims no alternative but to resist such imposition by all possible means for their survival and national existence.

V

Letter from Lord Pethick-Lawrence to the President of the Congress, dated 20th April 1946.

Thank you for your letter of 20th April. The Cabinet Delagation are very glad to know that the Congress agree to enter the joint discussion with representatives of the Muslim League and ourselves.

We have taken note of the views you have expressed on behalf of the Working Committee of Congress. These appear to deal with matters which can be discussed at the Conference, for we have never contemplated that acceptance by Congress and the Muslim League of our invitation would imply as a preliminary condition full approval by them of the terms set out in my letter. These terms are our proposed basis for a settlement, and what we have asked the Congress Working Committee to do is to agree to send its representatives to meet ourselves and representatives of the Muslim League in order to discuss it.

Assuming that the Muslim League, whose reply we expect to receive in the course of the afternoon, also accept our invitation, we propose that these discussions should be held at Simla, and intend to move there ourselves on Wednesday next. We hope that

you will be able to arrange for the Congress representatives to be in Simla in time to open the discussions on the morning of Thursday, May 2.

VI

Letter from Lord Pethick-Lawrence to the President of the Muslim League, dated 29th April, 1946.

Thank you for your letter of the 29th April. The Cabinet Delegation are very glad to know that the Muslim League agree to enter the joint discussion with the representatives of the Congress and ourselves. I am glad to say I have received a letter from the President of the Congress to say that they are also willing to participate in the proposed discussions and have nominated Maulana Azad, Pandit Nehru, Sardar Vallabhbhai Patel and Khan Abdul Ghaffar Khan as their representatives.

We have taken note of the resolution of the Muslim League to which you draw our attention. We have never contemplated that acceptance by the Muslim League and the Congress of our invitation would imply as a preliminary condition full approval by them of the terms set out in my letter. These terms are our proposed basis for a settlement and what we have asked the Muslim League Working Committee to do is to agree to send its representatives to meet ourselves and representatives of the Congress in order to discuss it.

We propose that these discussions should be held at Simla and intend to move there ourselves on Wednesday next. We hope that you will be able to arrange for the Muslim League representatives to be in Simla in time to open the discussion on the morn-

ing of Thursday, May 2.

VII

AGENDA

1. GROUPS OF PROVINCES—

- (a) Composition.
- (b) Method of deciding Group subjects.
- (c) Character of Group organisation.

2. UNION—

- (a) Union subjects.
- (b) Character of Union Constitution.
- (c) Finance.

3. CONSTITUTION - MAKING MACHINERY—

- (a) Composition.
- (b) Finance :
 - (i) in respect of Union ;
 - (ii) in respect of Groups ;
 - (iii) in respect of Provinces.

VIII

Letter from the President of the Indian National Congress to Lord Pethick-Lawrence, dated 6th May, 1946.

My colleagues and I followed with care the proceedings of the conference yesterday and tried to understand what our conversations were leading up to. I confess to feeling somewhat mystified and disturbed at the vagueness of our talks and some of the assumptions underlying them. While we would like to associate ourselves with every effort to explore ways and means of finding a basis for agreement, we must not deceive ourselves, the Cabinet Mission or the representatives of the Muslim League into the belief that the way the conference has so far proceeded, furnishes hope of success.

Our general approach to the questions before us was stated briefly in my letter to you of April 28th. We find that this approach has been largely ignored and a contrary method has been followed. We realise that some assumptions have to be made in the early stages as otherwise there can be no progress. But assumptions which ignore or run contrary to fundamental issues are likely to lead to misunderstandings during the later stages.

In my letter of April 28th, I stated that the basic issue before us was that of Indian independence and the consequent withdrawal of the British army from India, for there can be no independence so long as there is a foreign army on Indian soil. We stand for the independence of the whole of India now and not in the distant or near future. Other matters are subsidiary to this and can be fitly discussed and decided by the Constituent Assembly.

At the conference yesterday I referred to this again and we were glad to find that you and your colleagues, as well as the other members of the conference, accepted Indian independence as the basis of our talks. It was stated by you that the Constituent Assembly would finally decide about the nexus or other relationship that might be established between a Free India and England. While this is perfectly true, it does not affect the position now, and that is the acceptance of Indian independence now.

If that is so, then certain consequences inevitably follow. We felt yesterday that there was no appreciation of these consequences. A Constituent Assembly is not going to decide the question of independence; that question must be and, we take it, has been decided now. That Assembly will represent the will of the free Indian nation and give effect to it. It is not going to be bound by any previous arrangements. It has to be preceded by a Provisional Government which must function, as far as possible, as a government of Free India, and which should undertake to make all arrangements for the transitional period.

In our discussion yesterday repeated references were made to "groups" of Provinces functioning together, and it was even suggested that such a group would have an executive and legislative machinery. This method of grouping has not so far been discussed by us but still our talk seemed to presume all this.

I should like to make it very clear that we are entirely opposed to any executive or legislative machinery for a group of Provinces or units of the Federation. That will mean a sub-

federation, if not something more, and we have already told you that we do not accept this. It would result in creating three layers of executive and legislative bodies, an arrangement which will be cumbrous, static and disjointed, leading to continuous friction. We are not aware of any such arrangement in any country.

We are emphatically of opinion that it is not open to the conference to entertain any suggestions for a division of India. If this is to come, it should come through the Constituent Assembly free from any influence of the present governing power.

Another point we wish to make clear is that we do not accept the proposal for parity as between groups in regard to the executive or legislature. We realise that everything possible should be done to remove fears and suspicions from the mind of every group and community. But the way to do this is not by unreal methods which go against the basic principles of democracy on which we hope to build up our constitution.

IX

Letter from Lord Pethick-Lawrence to the Presidents of the Muslim League and the Congress, dated 8th May 1946.

My colleagues and I have been thinking over the best methods of laying before the Conference what in our judgment seems the most likely basis of agreement as shown by the deliberations so far.

We have come to the conclusion that it will be for the convenience of the parties if we commit this

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to writing and send their confidential copies before the Conference meets again.

We hope to be in a position to let you have this in the course of the morning. But as this will give you too short a time to study it adequately before the proposed resumption of the Conference at 3 o'clock this afternoon, I feel sure that you will agree that the meeting be postponed until the same hour (3 o'clock) tomorrow afternoon, Thursday 9th May, and I hope that you will concur in this change of time which we are convinced is in the interests of all parties.

X

Letter from the Private Secretary to Lord Pethick-Lawrence to the Presidents of the Congress and the Muslim League, dated 8th May, 1946.

With reference to the Secretary of State's letter to you this morning the Cabinet Delegation wish me to send to you the enclosed document which is the paper to which the Secretary of State referred. The Delegation propose that this paper should be discussed at the next meeting to be held on Thursday afternoon at 3 p.m. if that is agreeable to the Congress-Muslim League delegates.

XI

Enclosure with letter of the 8th May.

Suggested points for agreement between the representatives of Congress and the Muslim League.

1. There shall be an All-India Union Govern-

ment and Legislature dealing with Foreign Affairs Defence, Communications, Fundamental Rights and having the necessary powers to obtain for itself the finances it requires for these subjects.

2. All the remaining powers shall vest in the Provinces.

3. Groups of Provinces may be formed and such groups may determine the Provincial subjects which they desire to take in common.

4. The groups may set up their own Executives and Legislatures.

5. The Legislature of the Union shall be composed of equal proportions, from the Muslim-majority Provinces and from the Hindu-majority Provinces whether or not these or any of them have formed themselves into groups, together with representatives of the States.

6. The Government of the Union shall be constituted in the same proportion as the Legislature.

7. The constitutoins of the Union and the groups (if any) shall contain a provision whereby any Province can by a majority vote of its Legislative Assembly call for a reconsideration of the terms of the constitution after an initial period of 10 years and at 10 yearly intervals thereafter.

For the purpose of such reconsideration a body shall be constituted on the same basis as the original Constituent Assembly and with the same provisions as to voting, and shall have power to amend the constitution in any way decided upon.

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8. The constitution-making machinery to arrive at a constitution on the above basis, shall be as follows:—

A. Representatives shall be elected from each Provincial Assembly in proportion to the strength of the various parties in that assembly on the basis of 1/10th of their numbers.

B. Representatives shall be invited from the States on basis of the their population in proportion to the representation from British India.

C. The Constituent Assembly so formed shall meet at the earliest date possibly in New Delhi.

D. After its preliminary meeting at which the general order of business will be settled, it will divide into three sections, one section representing the Hindu-majority Provinces, one section representing the Muslim majority Provinces and one representing the States.

E. The first two sections will then meet separately to decide the Provincial constitutions for their group and, if they wish, a group constitution.

F. When these have been settled it will be open to any Province to decide to opt out of its original group and into the other group or to remain outside any group.

G. Thereafter the three bodies will meet together to settle the constitution for the Union on the lines agreed in paragraphs 1—7 above.

H. No major point in the Union Constitution, which affects the communal issue, shall be deemed to

be passed by the Assembly unless a majority of both the two communities vote in its favour.

9. The Viceroy shall forthwith call together the above constitution-making machinery which shall be governed by the provisions stated in paragraph 8 above.

XII

Letter from the President of the Muslim League to Lord Pethick-Lawrence, dated 8th May, 1946.

I have now received the letter of your Private Secretary, dated 8th May, 1946, and the document to which you had referred in your earlier letter of 8th May, 1946. It is proposed by you that this "paper" be discussed at the next meeting of the conference to be held on Thursday afternoon at 3 p.m. if this is agreeable to the Muslim League Delegation.

Your proposal embodied in your letter of 27th April, runs as follows:—

"A Union Government dealing with the following subjects:—Foreign Affairs, Defence and Communications. There will be two groups of Provinces, the one of the predominantly Hindu Provinces and the other of the predominantly Muslim Provinces, dealing with all other subjects which the Provinces in the respective groups desire to be dealt with in common. The Provincial Governments will deal with all other subjects and will have all residuary sovereign rights."

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- This matter was to be discussed at Simla and we agreed to attend the Conference on Sunday, 5th May 1946 on the terms of my letter, dated 28th April 1946.

You were good enough to explain your formula and then after hours of discussion on the 5th and 6th of May, the Congress finally and definitely turned down the proposed Union confined only to three subjects even with power to levy contribution for financing the Union.

Next, your formula clearly envisaged an agreement precedent between the Congress and the Muslim League with regard to the grouping of Muslim and Hindu Provinces and the formation of two Federations of the grouped Provinces and it followed that there must be two constitution-making machineries. It was on that basis that some kind of Union was suggested in your formula confined only to three subjects and our approval was sought in order to put into this skeleton blood and flesh.

This proposal was also categorically turned down by the Congress and the meeting had to be adjourned for the Mission to consider the matter further as to what steps they may take in the matter.

And now the new enclosed document has been sent to us with a view that "this paper should be discussed at the next meeting to be held on Thursday afternoon at 3 p.m." The heading of the paper is "Suggested points for agreement between the representatives of Congress and the Muslim League." By whom are they suggested, it is not made clear.

We are of the opinion that the new suggested points for agreement are a fundamental departure from the original formula embodied in your letter of 27th April, which was rejected by the Congress.

To mention some of the important points we are now asked to agree that there should be one All-India Union Government in terms of paragraphs 1—7 of this paper, which adds one more subject to be vested in the Union Government, i.e., "Fundamental Rights" and it is not made clear whether the Union Government and Legislature will have power or not to obtain for itself the finances by means of taxation.

In the new " suggestions" the question of grouping of Provinces is left exactly as the Congress spokesmen desired in the course of discussions that have taken place hitherto, and is totally different from your original formula.

There are many other objectionable features contained in the suggestions which we have not dealt with as we are only dealing with the main points arising out of this paper.

In these circumstances, we think, no useful purpose will be served to discuss this paper as it is a complete departure from your original formula, unless after what we have said above you still desire us to discuss it in the Conference itself tomorrow.

XIII

Letter from Lord Pethick-Lawrence to the President of the Muslim League, dated 9th May, 1946.

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I have to acknowledge your letter of yesterday which I have shown to my colleagues. In it you raise a number of issues to which I propose to reply in order.

1. You claim that Congress "finally and definitely turned down the proposed Union confined only to three subjects even with power to levy contribution for financing the Union." This statement is not in accord with my recollection of what took place in the Conference room. It is true that the Congress representatives expressed their view that the limitation was too narrow and argued further that even so limited it necessarily included certain ancillary matters. Up to a point you recognised that there was some force in the argument because you agreed, as I understood, that some power to obtain the necessary finance must be given. There was no final decision on this matter (or of course on any other).

2. Next you claim, if I understand you aright, that our reference to the formation of groups is at variance with the formula in our invitation. I am afraid I cannot accept this view. It is, of course, a slightly amplified form because it specifies the manner in which the Provinces can decide as to joining any particular group. This amplified form is put forward by us as a reasonable compromise between the views of the Muslim League and those originally expressed by Congress against grouping at all

3. You further take exception to the machinery that we suggest should be set up for making the constitution. I would point out to you, however, that you yourself in explaining how your two constitution-making bodies would work agreed on Tuesday

last in the Conference, that they would have to join together in the end to decide the constitution of the Union, and you took no exception to their having a preliminary session in common to decide procedure. What we are proposing is in fact precisely the same thing expressed in different words. I am, therefore, quite at a loss to understand what you have in mind when you use the words "this proposal was also categorically turned down by the Congress."

4. In your next succeeding paragraph you ask who it is that makes the suggestions that are contained in the document I sent you. The answer is the Cabinet Mission and His Excellency the Viceroy who make them in our endeavour to bridge the gap between the view-points of the Congress and the Muslim League.

5. You next take the exception to our departing from the original formula in my invitation. I would remind you that in accepting my original invitation neither the Muslim League nor the Congress bound itself to accept in full the original formula, and in my reply of April 29th, I wrote these words :

We have never contemplated that acceptance by the Muslim League and the Congress of our invitation would imply as a preliminary condition full approval by them of the terms set out in my letters. These terms are our proposed basis for a settlement and what we have asked the Muslim League Working Committee to do is to agree to send its representatives to meet ourselves and representatives of the Congress in order to discuss it.

Indeed this is the only sensible attitude because the object of all our discussions is to explore every conceivable possibility of reaching agreement.

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6. " Fundamental Rights " were included by us in our suggestions for addition to the list of Union subjects because it seemed to us that it would be of benefit both to the large communities and to the small minorities for them to be put in and accordingly to be worthy of consideration in our conference. As to finance, it will of course be quite open to discuss in the Conference the precise significance of the inclusion of this word in its context.

7. Your two following paragraphs are mainly a recapitulation of your previous arguments and have been already dealt with above.

From your last paragraph I understand that though you do not consider in the circumstances that any good purpose would be served by the attendance of the Muslim League delegation at the Conference fixed for this afternoon, you are willing to come if we express a desire that you should do so. My colleagues and I wish to obtain the views of both parties on the document submitted and therefore would be glad to see you at the Conference.

XIV

Letter from Pandit Jawaharlal Nehru to Lord Pethick-Lawrence, dated May 9th, 1946.

My colleagues and I have given the most careful consideration to the memorandum sent by you yesterday suggesting various points of agreement. On the 28th April I sent you a letter in which I explained briefly the Congress view-point in regard to certain " fundamental principles " mentioned in your letter of 27th April. After the first day of the conference, on May 6, I wrote to you again to avoid

any possible misunderstanding regarding the issues being discussed in the conference.

I now find from your memorandum that some of your suggestions are entirely opposed to our views and to the views repeatedly declared by the Congress. We are thus placed in a difficult position. It has been and is our desire to explore every avenue for a settlement and a change-over in India by consent, and for this purpose we are prepared to go far. But there are obvious limits beyond which we cannot go if we are convinced that this would be injurious to the people of India and to India's progress as a free nation.

In my previous letters I have laid stress on the necessity of having a strong and organic Federal Union. I have also stated that we do not approve of sub-federations or grouping of Provinces in the manner suggested, and are wholly opposed to parity in executives or legislatures as between wholly unequal groups. We do not wish to come in the way of Provinces or other units co-operating together, if they so choose, but this must be entirely optional.

The proposals you have put forward are meant, we presume, to limit the free discretion of the Constituent Assembly. We do not see how this can be done. We are at present concerned with one important aspect of a larger problem. Any decision on this aspect taken now might well conflict with the decisions we, or the Constituent Assembly, might want to take on other aspects. The only reasonable course appears to us is to have a Constituent Assembly with perfect freedom to draw up its constitution, with certain reservations to protect the rights of minorities. Thus we may agree that any

major communal issue must be settled by consent of the parties concerned, or where such consent is not obtained, by arbitration.

From the proposals you have sent us (8 D.E.F.G.) it would appear that two or three separate constitutions might emerge for separate groups, joined together by flimsy common superstructure left to the mercy of the three disjoined groups.

There is also compulsion in the early stages for a Province to join a particular group whether it wants or not. Thus why should the Frontier Province, which is clearly a Congress Province, be compelled to join any group hostile to the Congress?

We realise that in dealing with human beings, as individuals or groups, many considerations have to be borne in mind besides logic and reason. But logic and reason cannot be ignored altogether, and unreason and injustice are dangerous companions at any time and, more especially, when we are building for the future of hundreds of millions of human beings.

I shall now deal with some of the points in your memorandum and make some suggestions in regard to them.

No. 1.—We note that you have provided for the Union to have necessary powers to obtain for itself the finance it requires for the subjects it deals with. We think it should be clearly stated that the Federal Union must have power to raise revenues in its own right. Further that currency and customs must in any event be included in the Union subjects, as well as such other subjects as, on closer scrutiny, may be found to be intimately allied to them. One

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other subject is an essential and inevitable Union subject, and that is planning. Planning can be done effectively at the Centre, though the Provinces or Units will give effect to it in their respective areas.

The Union must also have power to take remedial action in cases of breakdown of the constitution and in grave public emergencies.

Nos. 5 and 6.—We are entirely opposed to the proposed parity both in the Executive and Legislature, as between wholly unequal groups. This is unfair and will lead to trouble. Such a provision contains in itself the seed of conflict and the destruction of free growth. If there is no agreement on this or any similar matter, we are prepared to leave it to arbitration.

No. 7.—We are prepared to accept the suggestion that provision be made for a reconsideration of the constitution after ten years. Indeed the constitution will necessarily provide the machinery for its revision at any time.

The second clause lays down that reconsideration should be done by a body constituted on the same basis as the constituent Assembly. This present provision is intended to meet an emergency. We expect that the constitution for India will be based on adult suffrage. Ten years hence India is not likely to be satisfied with anything less than adult suffrage to express its minds on all grave issues.

No. 8-A.—We would suggest that the just and proper method of elections, fair to all parties, is the method of proportional representation by single transferable vote. It might be remembered that the

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present basis of election for the Provincial Assemblies is strongly weighted in favour of the minorities.

The proportion of 1/10th appears to be too small and will limit the numbers of the Constituent Assembly too much. Probably the number would not exceed 200. In the vitally important tasks the Assembly will have to face, it should have larger numbers. We suggest that at least one-fifth of the total membership of the Provincial Assemblies should be elected for the Constituent Assembly.

No. 8-B.—This clause is vague and requires elucidation. But for the present we are not going into further details.

No. 8-D.E.F.G.—I have already referred to these clauses. We think that both the formation of these groups and the procedure suggested are wrong and undesirable. We do not wish to rule out the formation of the groups if the Provinces so desire. But this subject must be left open for decision by the Constituent Assembly. The drafting and setting of the constitution should begin with the Federal Union. This should contain common and uniform provisions for the Provinces and other units. The Provinces may then add to these.

No. 8-H.—In the circumstances existing today we are prepared to accept some such clause. In case of disagreement the matter should be referred to arbitration.

I have pointed out above some of the obvious defects, as we see them, in the proposals contained in your memorandum. If these are remedied, as suggested by us, we might be in a position to recommend their acceptance by the Congress. But as

drafted in the memorandum sent to us, I regret that we are unable to accept them.

On the whole, therefore, if the suggestions are intended to have a binding effect, with all the will in the world to have an agreement with the League, we must repudiate most of them. Let us not run into any evil greater than the one all of us three parties should seek to avoid.

If an agreement honourable to both the parties and favourable to the growth of free and united India cannot be achieved, we would suggest that an interim Provisional Government responsible to the elected members of the Central Assembly be formed at once and the matters in dispute concerning the Constituent Assembly between the Congress and the League be referred to an independent tribunal.

After a proposal by Pandit Jawaharlal Nehru that an umpire should be appointed to settle matters of difference between the parties, the Conference, understanding that there was a likelihood of agreement on an umpire between the parties, was adjourned and the following correspondence passed between the parties.

XV

Letter from Pandit Jawaharlal Nehru to the President of the Muslim League, dated 10th May 1946.

In accordance with our decision yesterday at the Conference, my colleagues have given a good deal of thought to the choice of a suitable umpire. We have felt that it would probably be desirable to exclude

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Englishmen, Hindus, Muslims and Sikhs. The field is thus limited. Nevertheless, we have drawn up a considerable list from which a choice can be made. I presume that you have also, in consultation with your executive, prepared a list of possible umpires. Would you like these two lists to be considered by us, that is by you and me? If so, we can fix up a meeting for the purpose. After we have met, our recommendation can be considered by the eight of us, that is, the four representatives of the Congress and the four representatives of the Muslim league, and a final choice can be made, which we can place before the Conference when it meets tomorrow.

XVI

Letter from the President of the Muslim League to Pandit Jawaharlal Nehru, dated May 10th, 1946.

I received your letter of 10th May at 6 p.m.

At yesterday's meeting between you and me at the Viceregal Lodge, we discussed several points besides the fixing of an umpire. After a short discussion, we came to the conclusion that we will further examine your proposal made by you at the Conference yesterday, with all its implications after your and my consulting our respective colleagues.

I shall be glad to meet you to consider the various aspects of your proposal any time that may suit you tomorrow morning after 10 o'clock.

XVII

Letter from Pandit Jawaharlal Nehru to the

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President of the Muslim League, dated 11th May 1946.

Your letter of May 10th reached me at ten last night.

During the talk we had at Viceregal Lodge you referred to various matters besides the choice of an umpire and I gave you my reactions in regard to them. But I was under the impression that the proposal to have an umpire had been agreed to and our next business was to suggest names. Indeed it was when some such agreement was reached in the Conference that we had our talks. My colleagues have proceeded on this basis and prepared a list of suitable names. The Conference will expect us to tell them this afternoon the name of the umpire we fix upon, or at any rate to place before them suggestions in this behalf.

The chief implication in having an umpire is to agree to accept his final decision. We agree to this. We suggest that we might start with this and report accordingly to the Conference.

As suggested by you, I shall come over to your place of residence at about 10-30 this morning.

XVIII

Letter from the President of the Muslim League to Pandit Jawaharlal Nehru, dated May 11th, 1946.

I am in receipt of your letter of the 11th May.

During the talk we had at the Viceregal Lodge,

which lasted for about fifteen or twenty minutes, I pointed out various aspects and implications of your proposal and we had a discussion for a little while, but no agreement was arrived at between you and me on any point except that at your suggestion that you consult your colleagues and I should do likewise. We adjourned to meet again the next day to further discuss the matter.

I shall be glad to meet you at 10.30 this morning for further talk.

XIX

Memorandum by the President of the Muslim League embodying minimum demands by way of an offer, in accordance with the Conference decision, dated 12th May 1946.

(Copies sent to the Cabinet Delegation and the Congress.)

Principles to be agreed to as our offer.

1. The six Muslim Provinces (Punjab, N.-W.F.P., Baluchistan, Sind, Bengal and Assam) shall be grouped and will deal with all other subjects and matters except Foreign Affairs, Defence and Communications necessary for defence, which may be dealt with by the Constitution-making bodies of the two groups of Provinces—Muslim Provinces (hereinafter named Pakistan Group) and Hindu Provinces—sitting together.

2. There shall be a separate Constitution-making body for the six Muslim Provinces

named above, which will frame Constitutions for the Group and the Provinces in the group, and will determine the list of subjects that shall be Provincial and Central (of the Pakistan Federation) with residuary sovereign powers vesting in the Provinces.

3. The method of election of the representatives to the Constitution-making body will be such as would secure proper representation to the various communities in proportion to their population in each Province of the Pakistan Group.

4. After the Constitution of the Pakistan Federal Government and the Provinces are finally framed by the Constitution-making body, it will be open to any Province of the Group to decide to opt out of its Group, provided the wishes of the people of that Province are ascertained by a referendum to opt out or not.

5. It must be open to discussion in the joint Constitution-making body as to whether the Union will have a Legislature or not. The method of providing the Union with finance should also be left for decision of the joint meeting of the two Constitution-making bodies but in no event shall it be by means of taxation.

6. There should be parity of representation between the two Groups of Provinces in the Union Executive and the Legislature, if any.

7. No major point in the Union Constitution which affects the communal issue shall be deemed to be passed in the joint Constitution-making body, unless the majority of the members

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of the Constitution-making body of the Hindu Provinces and the majority of the members of the Constitution-making body of the Pakistan Group, present and voting, are separately in its favour.

8. No decision, legislative, executive or administrative, shall be taken by the Union in regard to any matter of controversial nature, except by a majority of three-fourths.

9. In Group and Provincial Constitution fundamental rights and safeguards concerning religion, culture and other matters of the different communities will be provided for.

10. The Constitution of the Union shall contain a provision whereby any Province can, by a majority vote of its Legislative Assembly, call for reconsideration of the terms of the Constitution, and will have the liberty to secede from the Union at any time after an initial period of ten years.

These are the principles of our offer for a peaceful and amicable settlement and this offer stands in its entirety and all matters mentioned herein are interdependent.

XX

Points suggested on behalf of the Congress as a basis for agreement, 12th May, 1946.

1. The Constituent Assembly to be formed as follows:—

(i) Representatives shall be elected by each

Provincial Assembly by proportional representation (single transferable vote). The number so elected should be one-fifth of the number of members of the Assemblies and they may be members of the Assembly or others.

- (ii) Representatives from the States on the basis of their population in proportion to the representation from British India. How these representatives are to be chosen is to be considered later.

2. The Constituent Assembly shall draw up a constitution for the Federal Union. This shall consist of an All-India Federal Government and Legislature dealing with Foreign Affairs, Defence, Communications, Fundamental Rights, Currency, Customs and Planning, as well as such other subjects as, on closer scrutiny, may be found to be intimately allied to them. The Federal Union will have necessary powers to obtain for itself the finances it requires for these subjects and the powers to raise revenues in its own right. The Union must also have power to take remedial action in cases of breakdown of the constitution and in grave public emergencies.

3. All the remaining powers shall vest in the Provinces or Units.

4. Groups of Provinces may be formed and such groups may determine the Provincial subjects which they desire to take in common.

5. After the Constituent Assembly has decided the constitution for the All-India Federal Union as laid down in paragraph 2 above, the representatives of the Provinces may form groups to decide the

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Provincial constitutions for their groups and, if they wish, a group constitution.

6. No major point in the All-India Federal Constitution which affects the communal issue shall be deemed to be passed by the Constituent Assembly unless a majority of the members of the community or communities concerned present in Assembly and voting are separately in its favour. Provided that in case there is no agreement on any such issue, it will be referred to arbitration. In case of doubt as to whether any point is a major communal issue the Speaker will decide, or, if so desired, it may be referred to the Federal Court.

7. In the event of a dispute arising in the process of constitution-making, the specific issue shall be referred to arbitration.

8. The constitution should provide machinery for its revision at any time subject to such checks as may be devised. If so desired, it may be specifically stated that this whole constitution may be reconsidered after ten years.

XXI

Note by the Congress on the principles to be agreed upon as suggested on behalf of the Muslim League, dated 12th May 1946.

The approach of the Muslim League is so different from that of the Congress in regard to these matters that it is a little difficult to deal with each point separately without reference to the rest. The picture as envisaged by the Congress is briefly given in a separate note. From consideration of

this note and the Muslim League's proposals, the difficulties and the possible agreement will become obvious.

The Muslim League's proposals are dealt with below briefly:—

(1) We suggest that the proper procedure is for one Constitution-making body or Constituent Assembly to meet for the whole of India and later for groups to be formed if so desired by the Provinces concerned. The matter should be left to the Provinces and if they wish to function as a group, they are at liberty to do so and to frame their own constitution for the purpose.

In any event, Assam has obviously no place in the group mentioned, and the North-West Frontier Province, as the elections show, is not in favour of this proposal.

(2) We have agreed to residuary powers, apart from the central subjects, vesting in the Provinces. They can make such use of them as they like and, as has been stated above, function as a group. What the ultimate nature of such a group may be, cannot be determined at this stage and should be left to the representatives of the Province concerned.

(3) We have suggested that the most suitable method of election would be by single transferable vote. This would give proper representation to the various communities in proportion to their present representation in the legislatures. If the population proportion is taken, we have no particular objection, but this would lead to difficulties in all the Provinces where there is weightage in favour of certain communities. The principle approved

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of would necessarily apply to all the Provinces.

(4) There is no necessity for opting out of a Province from its group as the previous consent of the Provinces is necessary for joining the group.

(5) We consider it essential that the Federal Union should have a Legislature. We also consider it essential that the Union should have power to raise its own revenue.

(6 and 7) We are entirely opposed to parity of representation as between groups of Provinces in the Union executive or legislature. We think that the provision to the effect that no major communal issue in the Union constitution shall be deemed to be passed by the Constituent Assembly unless a majority of the members of the community or communities concerned present and voting in the Constituent Assembly are separately in its favour, is a sufficient and ample safeguard of all minorities. We have suggested something wider and including all communities than has been proposed elsewhere. This may give rise to some difficulties in regard to small communities, but all such difficulties can be got over by reference to arbitration. We are prepared to consider the method of giving effect to this principle so as to make it more feasible.

(8) This proposal is so sweeping in its nature that no government or legislature can function at all. Once we have safeguarded major communal issues, other matters, whether controversial or not, require no safeguard. This will simply mean safeguarding vested interests of all kinds and preventing progress, or indeed any movement in any direction. We, therefore, entirely disapprove of it.

(9) We are entirely agreeable to the inclusion of Fundamental Rights and Safeguards concerning religion, culture and like matters in the constitution. We suggest that the proper place for this is the All-India Federal Union Constitution. There should be uniformity in regard to these Fundamental Rights all over India.

(10) The constitution of the Union will inevitably contain provisions for its revision. It may also contain a provision for its full reconsideration at the end of ten years. The matter will be open then for a complete reconsideration. Though it is implied, we would avoid reference to secession as we do not wish to encourage this idea.

An analysis of the above correspondence and documents exchanged between the Cabinet Mission and the Viceroy, and representatives of the Congress and the Muslim League shows that the two parties—Hindus and Muslims—laid stress on the impossibility of reaching an agreement rather than on the spirit of compromise. While the Congress stood for United India as a Federal Union reserving for the Centre such vital subjects as are necessary for the preservation of the general safety of the country viz., Defence, Foreign Policy, Communications, Currency, Customs and Excise, the Muslim League demanded zonal or regional Federations standing in between the federating units and the All-India Centre. Such an intermediary state was not in the Congress scheme, though a suggestion for a provisional stage could be traced in its division of the Centre subjects into 'compulsory' and 'optional' heads. Thus, in view of the wide differences existing between the two major political parties, objectives as depicted by the Muslim League in *The Memorandum of Minimum Demands*

(XVIII), the Congress in '*Points suggested as basis of agreement*' (XIX), and again in the '*Note on the principles of the Muslim League*' (XX), the Conference came to the conclusion that no use would be served by further discussions, and that the parleys should be brought to an end. Thus, a day before the actual breakdown of the talks, the *Associated Press of America* issued an important note prophesying the failure of the Tripartite Conference at Simla. It ran: "The fundamental points on which the agreement could not be reached, appear to have been concerning the powers and scope of the Indian Centre *vis-a-vis* the two federations and also on the question of two separate Constituent Assemblies.

"The Muslim League wants two sovereign federations, which will voluntarily surrender to the Union Centre limited power over defence, foreign affairs, communications, excise and customs, the Federal units exercising all other powers. The Union Centre will have an Executive and a Legislature composed on a parity basis. The Muslim League also demands that the Union Centre should not be in a position to have any economic hold over two federations.

"The Congress, on the other hand, wants a strong Union Centre with control over defence, foreign affairs, communications, excise, finance, currency and fundamental rights so as to be able, at an emergency, to meet any situation.

"The Congress is unable to agree to the grouping of provinces into two federations on a communal basis. Furthermore, it wants provinces, irrespective of communal majorities, to be free to join any group it likes. The Congress is also stated to be not

willing to accept parity in the matter of representation in the Union Legislature as well as the Executive.

"The Congress insists that there should be only one sovereign state, namely the Union Centre, and therefore is opposed to any attempt at having two separate sovereign states.

"As regards the Indian States, the Congress wants them to join the Union on the same basis as the provinces and not as a separate group.

"The six-week-old negotiations were directed to see how far these differences could be ironed out. The Cabinet Mission's tentative proposals, which formed the basis of negotiations at the Tripartite Conference were, it is gathered, produced as a compromise between the demand of the Muslim League and the concessions the Congress was prepared to make to meet the Muslim demands.

"During the tripartite negotiations in Simla, the Cabinet Mission hoped that the fundamental differences between the Congress and the Muslim League could be overcome and a compromise reached. These hopes having not materialised, the second Simla Conference has failed, in its objective."

After the end of the Conference, the Cabinet Mission left for Delhi proposing to announce their proposals in the course of a few days.

It was believed that the Mission's announcement would contain a declaration regarding India's independence at a certain fixed date, and also

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suggest a plan for the Interim Government for setting-up of a Constitution-making body.

This historic announcement of the Cabinet Mission is discussed in the following pages.

CHAPTER IV

‘SOMETHING TO BE PROUD OF!’

“Do not be too considerate for a servant’s feelings; they have no sense of gratitude as a rule, and will think you are afraid if you request them to do a thing instead of ordering them.”

Major A. T. Moore, ‘Notes For Officers Proceeding to India.’

The Cabinet Mission and the Viceroy on Thursday, the 16th May, 1946, issued from New Delhi the important statement which Mahatma Gandhi declared as ‘something to be proud of,’ for it contained the seed to convert “this land of sorrow into one without sorrow and suffering.” The following is the full text of the statement:

1. On March 15 last just before the despatch of the Cabinet Delegation to India Mr. Attlee, the British Prime Minister, used these words:

“My colleagues are going to India with the intention of using their utmost endeavours to help her to attain her freedom as speedily and fully as possible. What form of Government is to replace the present regime is for India to decide; but our desire is to help her to set up forthwith the machinery for making that decision.

“I hope that India and her people may elect to remain within the British Commonwealth. I am

certain that they will find great advantages in doing so."

"But if she does so elect, it must be by her own free will. The British Commonwealth and Empire is not bound together by chains of external compulsion. It is a free association of free peoples. If, on the other hand, she elects for independence, in our view she has a right to do so. It will be for us to help to make the transition as smooth and easy as possible."

2. Charged in these historic words we—the Cabinet Ministers and the Viceroy—have done our utmost to assist the two main political parties to reach agreement upon the fundamental issue of the unity or division of India. After prolonged discussions in New Delhi we succeeded in bringing the Congress and the Muslim League together in Conference at Simla. There was a full exchange of views and both parties were prepared to make considerable concessions in order to try and reach a settlement but it ultimately proved impossible to close the remainder of the gap between the parties and so no agreement could be concluded. Since no agreement has been reached we feel that it is our duty to put forward what we consider are the best arrangements possible to ensure a speedy setting up of the New Constitution. This statement is made with the full approval of His Majesty's Government in the United Kingdom.

Interim Government :

3. We have accordingly decided that immediate arrangements should be made whereby Indians may decide the future constitution of India and an Interim

Government may be set up at once to carry on the administration of British India until such time as a new Constitution can be brought into being. We have endeavoured to be just to the smaller as well as to the larger sections of people; and to recommend a solution which will lead to a practicable way of governing the India of the future, and will give a sound basis for defence and a good opportunity for progress in the social political and economic field.

4. It is not intended in this statement to review the voluminous evidence that has been submitted to the Mission; but it is right that we should state that it has shown an almost universal desire outside the supporters of the Muslim League, for the unity of India.

Pakistan

5. This consideration did not, however, deter us from examining closely and impartially the possibility of a partition of India; since we were greatly impressed by the very genuine and acute anxiety of the Muslims lest they should find themselves subjected to a perpetual Hindu-majority rule.

This feeling has become so strong and widespread amongst the Muslims that it cannot be allayed by mere paper safeguards. If there is to be internal peace in India it must be secured by measures which will assure to the Muslims a control in all matters vital to their culture, religion, and economic or other interests.

6. We therefore examined in the first instance the question of a separate and fully independent

sovereign State of Pakistan as claimed by the Muslim League. Such a Pakistan should comprise two areas: one in the north-west consisting of the Provinces of the Punjab, Sind, North-West Frontier, and British Baluchistan, the other in the north-east consisting of the Provinces of Bengal and Assam. The League were prepared to consider adjustment of boundaries at a later stage, but insisted that the principle of Pakistan should first be acknowledged. The argument for a separate State of Pakistan was based first, upon the right of the Muslim majority to decide their method of Government according to their wishes, and secondly, upon the necessity to include substantial areas in which Muslims are in a minority, in order to make Pakistan administratively and economically workable.

The size of the non-Muslim minorities in a Pakistan comprising the whole of the six Provinces enumerated above would be very considerable as the following figures* show:

	<i>Muslim</i>	<i>Non-Muslim</i>
<i>North-Western Area—</i>		
Punjab	16,217,242	12,201,577
N. W. F. Province	2,788,797	249,270
Sind	3,208,325	1,326,683
Br. Baluchistan	438,930	62,701
	<hr/> 22,653,294	<hr/> 13,840,231
	62.07%	37.93%

*All population figures in this statement are from the most recent Census taken in 1941.

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North-Eastern Area—

Bengal	33,005,434	27,301,091
Assam	3,442,479	6,762,254
	<hr/>	<hr/>
	36,447,913	34,063,345
	<hr/>	<hr/>
	51.69%	48.31%

The Muslim minorities in the remainder of British India number some 20 million dispersed amongst a total population of 188 million.

These figures show that the setting up of a separate sovereign State of Pakistan on the lines claimed by the Muslim League, would not solve the communal minority problem; nor can we see any justification for including within a sovereign Pakistan those districts of the Punjab and of Bengal and Assam in which the population is predominantly non-Muslim. Every argument that can be used in favour of Pakistan, can equally in our view be used in favour of the exclusion of the non-Muslim areas from Pakistan. This point would particularly affect the position of the Sikhs.

Not Acceptable :

7. We therefore considered whether a smaller sovereign Pakistan confined to the Muslim majority areas alone might be a possible basis of compromise. Such a Pakistan is regarded by the Muslim League as quite impracticable because it would entail the exclusion from Pakistan of (a) the whole of the Ambala and Jullundur Divisions in the Punjab; (b) the whole of Assam except the district of Sylhet;

and (c) a large part of Western Bengal, including Calcutta, in which city the Muslims form 23.6 per cent of the population. We ourselves are also convinced that any solution which involves a radical partition of the Punjab and Bengal, as this would do, would be contrary to the wishes and interests of a very large proportion of the inhabitants of these provinces. Bengal and the Punjab each has its own common language and a long history and tradition. Moreover, any division of the Punjab would be of necessity to divide the Sikhs leaving substantial bodies of Sikhs on both sides of the boundary. We have therefore been forced to the conclusion that neither a larger nor a smaller sovereign State of Pakistan would provide an acceptable solution for the communal problem.

8. Apart from the great force of the foregoing arguments there are weighty administrative economic and military considerations. The whole of the transportation and postal and telegraph system of India have been established on the basis of a united India. To disintegrate them would gravely injure both parts of India. The case for a united defence is even stronger. The Indian armed forces have been built up as a whole for the defence of India as a whole, and to break them in two would inflict a deadly blow on the long traditions and high degree of efficiency of the Indian Army and would entail the gravest dangers. The Indian Navy and Indian Air Force would become much less effective. The two sections of the suggested Pakistan contain the two most vulnerable frontiers in India and for a successful defence in depth the area of Pakistan would be insufficient.

9. A further consideration of importance is the greater difficulty which the Indian State would

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find in associating themselves with a divided British India.

Unable to Advise :

10. Finally there is the geographical fact that the two halves of the proposed Pakistan State are separated by some seven hundred miles and the communications between them both in war and peace would be dependent on the goodwill of Hindustan.

11. We are therefore unable to advise the British Government that the power which at present resides in British hands should be handed over to two entirely separate sovereign States.

Congress Scheme :

12. This decision does not, however, blind us to the very real Muslim apprehensions that their culture and political and social life might become submerged in a purely unitary India, in which the Hindus with their greatly superior numbers must be a dominating element. To meet this the Congress have put forward a scheme under which Provinces would have full autonomy subject only to a minimum of Central subjects, such as Foreign Affairs, Defence and Communications.

Under this scheme Provinces, if they wished to take part in economic and administrative planning on a large scale, could cede to the Centre optional subjects in addition to the compulsory ones mentioned above.

13. Such a scheme would, in our view, present

considerable constitutional disadvantages and anomalies. It would be very difficult to work a Central Executive and Legislature in which some Ministers, who dealt with Compulsory subjects, were responsible to the whole of India while other Ministers, who dealt with Optional subjects, would be responsible only to those Provinces which had elected to act together in respect of such subjects. This difficulty would be accentuated in the Central Legislature where it would be necessary to exclude certain members from speaking and voting when subjects with which their Provinces were not concerned were under discussion.

Apart from the difficulty of working such a scheme, we do not consider that it would be fair to deny to other Provinces, which did not desire to take the optional subjects at the Centre, the right to form themselves into a group for a similar purpose. This would indeed be no more than the exercise of their autonomous powers in a particular way.

Indian States :

14. Before putting forward our recommendation we turn to deal with the relationship of the Indian States to British India. It is quite clear that with the attainment of independence by British India, whether inside or outside the British Commonwealth, the relationship which has hitherto existed between the Rulers of the States and the British Crown will no longer be possible. Paramountcy can neither be retained by the British Crown nor transferred to the new Government. This fact has been fully recognised by those whom we interviewed from the States. They have at the same time assured us that the States are ready and willing to co-operate in

the new development of India. The precise form which their co-operation will take must be a matter for negotiation during the building up of the new constitutional structure and it by no means follows that it will be identical for all the States. We have not therefore dealt with the States in the same detail as the Provinces of British India in the paragraphs which follow.

15. We now indicate the nature of a solution which in our view would be just to the essential claims of all parties, and would, at the same time, be most likely to bring about a stable and practicable form of constitution for All-India.

We recommend that the constitution should take the following basic form :

(1) There should be a Union of India, embracing both British India and the States, which should deal with the following subjects : Foreign Affairs, Defence and Communications ; and should have the powers necessary to raise the finances required for the above subjects.

(2) The Union should have an Executive and a Legislature constituted from British India and States representatives. Any question raising a major communal issue in the Legislature should require for its decision a majority of the representatives present and voting of each of the two major communities as well as a majority of all the members present and voting.

(3) All subjects other than the Union subjects and all residuary powers should vest in the Provinces.

(4) The States will retain all subjects and powers other than those ceded to the Union.

(5) Provinces should be free to form Groups with executives and legislatures, and each Group could determine the Provincial subjects to be taken in common.

(6) The constitutions of the Union and of the Groups should contain a provision whereby any Province could, by a majority vote of its Legislative Assembly, call for a reconsideration of the terms of the constitution after an initial period of 10 years and at 10 yearly intervals thereafter.

16. It is not our object to lay out the details of constitution on the above lines, but to set in motion the machinery whereby a constitution can be settled by Indians for Indians.

It has been necessary, however, for us to make this recommendation as the broad basis of the future constitution because it became clear to us in the course of our negotiations that not until that had been done, was there any hope of getting the two major communities to join in the setting up of the constitution-making machinery.

Constitutional Machinery :

17. We now indicate the constitution-making machinery which we propose should be brought into being forthwith in order to enable a new constitution to be worked out.

18. In forming any Assembly to decide a new constitutional structure, the first problem is to

obtain as broad-based and accurate a representation of the whole population as is possible. The most satisfactory method obviously would be by election based on adult franchise; but any attempt to introduce such a step now would lead to a wholly unacceptable delay in the formulation of the new Constitution. The only practicable alternative is to utilize the recently elected Provincial Legislative Assemblies as the electing bodies. There are, however, two factors in their composition which make this difficult. First, the numerical strengths of the Provincial Legislative Assemblies do not bear the same proportion to the total population in each Province. Thus, Assam with a population of 10 millions has a Legislative Assembly of 108 members, while Bengal, with a population six times as large, has an Assembly of only 250; secondly, owing to the weightage given to minorities by the Communal Award, the strengths of the several communities in each Provincial Legislative Assembly are not in proportion to their numbers in the Province. Thus the number of seats reserved for Muslims in the Bengal Legislative Assembly is only 48 per cent of the total, although they form 55 per cent. of the Provincial population. After a most careful consideration of the various methods by which these inequalities might be corrected, we have come to the conclusion that the fairest and most practicable plan would be—

(a) to allot to each Province a total number of seats proportional to its population, roughly in the ratio of one to a million, as the nearest substitute for representation by adult suffrage;

(b) to divide this provincial allocation of seats between the main communities in each Province in proportion to their population;

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(c) to provide that the representatives allotted to each community in a Province shall be elected by the members of that community in its Legislative Assembly.

We think that for these purposes it is sufficient to recognise only three main communities in India : General, Muslim and Sikh, the " General " community including all persons who are not Muslims or Sikhs. As the smaller minorities would, upon the population basis, have little or no representation since they would lose the weightage which assures them seats in the Provincial Legislatures, we have made the arrangements set out in paragraph 20 below to give them a full representation upon all matters of special interest to the minorities.

19. (i) We therefore propose that there shall be elected by each Provincial Legislative Assembly *the following numbers of representatives, each part of the Legislature (General, Muslim or Sikh) electing its own representatives by the method of proportional representation with the single transferable vote :—*

TABLES OF REPRESENTATION

Section A.

<i>Province</i>		<i>General</i>	<i>Muslim</i>	<i>Total</i>
Madras	...	45	4	49
Bombay	...	19	2	21
United Provinces	...	47	8	55
Bihar	...	31	5	36
Central Provinces	...	16	1	17
Orissa	...	9	0	9
Total	...	167	20	187

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Section B

<i>Province</i>		<i>General</i>	<i>Muslim</i>	<i>Sikh</i>	<i>Total</i>
Punjab	...	8	16	4	28
North-West Frontier Province	...	0	3	0	3
Sind	...	1	3	0	4
		<hr/>	<hr/>	<hr/>	<hr/>
Total	...	9	22	4	35

Section C.

<i>Province</i>		<i>General</i>	<i>Muslim</i>	<i>Total</i>
Bengal	...	27	33	60
Assam	...	7	3	10
Total	...	34	36	70
Total for British India				292
maximum for Indian States				93
				<hr/>
		Total		385

Note—In order to represent the Chief Commissioners' Provinces there will be added to Section A the member representing Delhi in the Central Legislative Assembly, the member representing Ajmer-Merwara in the Central Legislative Assembly, and a representative to be elected by the Coorg Legislative Council.

To Section B will be added a representative of British Baluchistan.

(ii) It is the intention that the States should be given in the final Constituent Assembly appropriate representation which would not on the basis of the calculations adopted for British India, exceed 93, but the method of selection will have to

be determined by consultation. The States would in the preliminary stage, be represented by a Negotiating Committee.

(iii) The representatives thus chosen shall meet at New Delhi as soon as possible.

(iv) A preliminary meeting will be held at which the general order of business will be decided, a Chairman and other officers elected, and an Advisory Committee (see p. 102) on the rights of citizens, minorities, and tribal and excluded areas set up. Thereafter the provincial representatives will divide up into the three sections shown under A, B, and C in the Table of Representation in sub-paragraph (i) of this paragraph.

(v) These sections shall proceed to settle the Provincial Constitutions for the Provinces included in each section, and shall also decide whether any Group Constitution shall be set up for those Provinces and, if so, with what provincial subjects the Group should deal. Provinces shall have the power to opt out of the Groups in accordance with the provisions of sub-clause (viii) below.

(vi) The representatives of the Sections and the Indian States shall reassemble for the purpose of settling the Union Constitution.

(vii) In the Union Constituent Assembly resolutions varying the provisions of the six points above or raising any major communal issue shall require a majority of the representatives present and voting of each of the two major communities.

The Chairman of the Assembly shall decide which (if any) of the resolutions raise major com-

munal issues and shall, if so requested by a majority of the representatives of either of the major communities, consult the Federal Court before giving his decision.

(viii) As soon as the new constitutional arrangements have come into operation, it shall be open to any Province to elect to come out of any Group in which it has been placed. Such a decision shall be taken by the new legislature of the Province after the first general election under the new constitution.

Advisory Committee :

20. The Advisory Committee on the rights of citizens, minorities, and tribal and excluded areas should contain full representation of the interests affected, and their function will be to report to the Union Constituent Assembly upon the list of Fundamental Rights, the clauses for the protection of minorities and a scheme for the administration of the tribal and excluded areas and to advise whether these rights should be incorporated in the Provincial, Group, or Union Constitution.

Negotiating Committee :

21. His Excellency the Viceroy will forthwith request the Provincial Legislatures to proceed with the election of their representatives and the States to set up a Negotiating Committee. It is hoped that the process of constitution-making can proceed as rapidly as the complexities of the task permit so that the interim period may be as short as possible.

22. It will be necessary to negotiate a Treaty

between the Union Constituent Assembly and the United Kingdom to provide for certain matters arising out of the transfer of power.

23. While the constitution-making proceeds, the administration of India has to be carried on. We attach the greatest importance therefore to the setting up at once of an interim Government having the support of the major political parties. It is essential during the interim period that there should be the maximum of co-operation in carrying through the difficult tasks that face the Government of India.

Besides the heavy task of day-to-day administration, there is the grave danger of famine to be countered; there are decisions to be taken in many matters of post-war development which will have a far-reaching effect on India's future; and there are important international conferences in which India has to be represented. For all these purposes a Government having popular support is necessary.

The Viceroy has already started discussions to this end, and hopes soon to form an interim Government in which all the portfolios, including that of War Member, will be held by Indian leaders having the full confidence of the people. The British Government, recognising the significance of the changes in the Government of India, will give the fullest measure of co-operation to the Government so formed in the accomplishment of its tasks of administration and in bringing about as rapid and smooth a transition as possible.

To the leaders and people of India who now have the opportunity of complete independence we would finally say this. We and our Government

and countrymen hoped that it would be possible for the Indian people themselves to agree upon the method of framing the new constitution under which they will live. Despite the labours which we have shared with the Indian Parties, and the exercise of much patience and goodwill by all, this has not been possible.

We therefore now lay before you proposals which, after listening to all sides and after much earnest thought, we trust will enable you to attain your independence in the shortest time and with the least danger of internal disturbance and conflict. These proposals may not, of course, completely satisfy all parties, but you will recognise with us that at this supreme moment in Indian history statesmanship demands *mutual accommodation*.

Alternatives :

We ask you to consider the alternative to acceptance of these proposals. After all the efforts which we and the Indian Parties have made together for agreement, we must state that in our view there is small hope of peaceful settlement by agreement of the Indian Parties alone. The alternative would therefore be a grave danger of violence, chaos, and even civil war.

The result and duration of such a disturbance cannot be foreseen; but it is certain that it would be a terrible disaster for many millions of men, women and children. This is a possibility which must be regarded with equal abhorrence by the Indian people, our own countrymen, and the world as a whole.

We therefore lay these proposals before you in

the profound hope that they will be accepted and operated by you in the spirit of accommodation and goodwill in which they are offered. We appeal to all who have the future good of India at heart to extend their vision beyond their own community or interest to the interests of the whole four hundred millions of the Indian people.

We hope that the new independent India may choose to be a member of the British Commonwealth. We hope in any event that you will remain in close and friendly association with our people. But these are matters for your own free choice. Whatever that choice may be, we look forward with you to your ever increasing prosperity among the great nations of the world and to future even more glorious than your past.

This plan, which makes six major proposals (*vide* para 15 above) to the people of India, and urges immediate formation of an Interim Government for the country, was further explained by Lord Pethick-Lawrence as below :

"Nearly two months ago I, as Secretary of State for India, and my two Cabinet colleagues, Sir Stafford Cripps and Mr. Alexander were sent out by His Majesty's Government to India to assist the Viceroy in setting up in India the machinery by which Indians can devise their own Constitution.

"We were at once confronted with a major obstacle. The two principal parties, the Muslim League, who won the great majority of the Muslim seats in the recent elections, and the Congress, who won the majority of all the others, were opposed to

each other as to the kind of machinery to be set up. The Muslim League claimed that British India should be divided into two completely separate sovereign States, and refused to take part in constitution-making unless this claim was conceded in advance. The Congress insisted on one single united India.

"During our stay in India we have tried by every means to secure such an accommodation between the parties as would enable constitution-making to proceed. Recently, we were able to bring them together at Simla in a Conference with ourselves, but though both sides were prepared to make substantial concessions, it was not found possible to reach complete agreement.

Constitution-making Body :

"We have, therefore, been compelled to seek for a solution which, by securing the main objects of both parties, will enable a constitution-making machinery to be brought into immediate operation.

"While we recognise the reality of the fear of the Muslim League that in a purely unitary India their community, with its own culture and way of life, might become submerged in majority Hindu rule, we do not accept the setting up of a separate Muslim sovereign State as a solution of the communal problem.

"Pakistan," as the Muslim League would call their State, would not consist solely of Muslims; it would contain a substantial minority of other communities which would average over 40 per cent. and

in certain wide areas would even constitute a majority, as for instance in the city of Calcutta, where the Muslims form less than one-third of the population.

"Moreover, the complete separation of Pakistan from the rest of India would, in our view, gravely endanger the defence of the whole country by splitting the Army into two and by preventing that defence in depth which is essential in modern war. We, therefore, do not suggest of this proposal.

"Our own recommendations contemplate a constitution of three tiers at the top of which would be the Union of India with an Executive and Legislature empowered to deal with the essential subjects of external affairs, defence and communication and the finance necessary for these services.

Autonomous Provinces

"At the bottom would be the provinces which would have, apart from the subjects I have just named, complete autonomy. But we contemplate further that provinces will wish to unite together in groups to carry out in common, services covering a wider area than that of a single province, and these groups may have, if they wish, Legislatures and Executives which, in this event, will be intermediate between those of the provinces and those of the Union.

"On the basis which makes it possible for the Muslims to secure the advantages of a Pakistan without incurring the dangers inherent in the division of India, we invite Indians of all parties to take part

in framing a constitution. The Viceroy will accordingly summon to New Delhi representatives of British India, who will be elected by the members of the Provincial Legislatures in such a way that as nearly as possible for each one million of the population there will be one representative, and that the proportion between the representatives of the main communities will be on the same basis.

Three Groups .

" After a preliminary meeting in common, these representatives of the provinces will divide themselves up into three sections, the composition of which is laid down and which, if the provinces ultimately agree, will become the three groups. These sections will decide upon provincial and group matters. Subsequently they will reunite to decide upon the Constitution for the Union.

" After the first elections under the new Constitution, provinces will be free to get out of the group into which they have been provisionally placed.

" We appreciate that this machinery does not of itself give any effective representation to other than the principal minorities and we are, therefore, providing for a Special Committee to be set up, in which the minorities will play a full part. The business of this Committee will be to formulate fundamental and minority rights and to recommend their inclusion in the Constitution at the appropriate level.

Indian States

" So far I have said nothing about the Indian States which comprise a third of the area of India and contain about one-quarter of the whole population. These States at present are each separately governed and have individual relationships with the British Crown.

" There is general recognition that when British India attains independence, the position of these States cannot remain unaffected, and it is anticipated that they will wish to take part in the constitution-making process and be represented in the All-India Union.

" It does not, however, lie within our province to decide these matters in advance as they will have to be the subject of negotiations with the States before action can be taken.

Interim Government

" During the making of the Constitution, the administration must be carried on and we attach therefore the greatest importance to the setting up at once of an Interim Government having the support of the major political parties. The Viceroy has already started discussions to this end and he hopes to bring them shortly to a successful issue.

" During the interim period the British Government, recognising the significance of the changes in the Government of India, will give the fullest measure of co-operation to the Government so

formed in the accomplishment of its tasks of administration and in bringing about as rapid and smooth a transition as possible.

"The essence of statecraft is to envisage the probable course of future events but no statesman can be wise enough to frame a Constitution which will adequately meet all the requirements of an unknown future.

"We may be confident, therefore, that the Indians on whom falls the responsibility of creating the initial Constitution, will give it a reasonable flexibility and will make provision for it to be revised and amended as required from time to time.

Fundamental Issue

"In this short talk you will not expect me to go into further details regarding our proposals which you can read in the statement which has been released for publication this evening. But in conclusion, I will repeat and emphasise what to me is the fundamental issue. The future of India and how that future is inaugurated, are matters of vital importance not only to India herself but to the whole world.

"If a great new sovereign State can come into being in a spirit of mutual goodwill both within and without India, that of itself will be an outstanding contribution to world stability.

"The Government and people of Britain are not only willing, they are anxious to play their full part

in achieving this result. But the Constitution for India has to be framed by Indians and worked by Indians when they have brought it into being. We appreciate to the full the difficulties which confront them in embarking on this task. We have done, and we will continue to do all that lies in our power to help them to overcome these difficulties. But the responsibility is theirs and in their fulfilment of it we wish them godspeed."

Simultaneous to the issue of the statement of the Cabinet Mission from New Delhi on the 16th May, the British Prime Minister, Mr. Attlee submitted the New Plan to the House of Commons in London. "The Plan," he said, "which has full support of the British Government, is the best arrangement to ensure speedy setting up of a new constitution for India." He further stated: "The Cabinet Mission has endeavoured to be just to the smaller as well as larger sections of the people," and is designed to set in motion machinery, "whereby a constitution can be settled by Indians for Indians."

The remarks of Mr. Winston Churchill, Leader of the Opposition in the House, in this connection deserve a mention here. He said: "I think, the Prime Minister was right to read to the House the able but melancholy document to which we have listened . . . Certainly, I have heard nothing for a long time which so deeply deserves the attention of Parliament and the British nation. . .

"During these negotiations it has been increasingly clear that the object sought for was not Dominion Status and the subsequent consequence

of the right of secession, but direct and immediate independence. I am not sure that results had been realised by the House—it certainly came as a surprise to me.

“The new proposals that we have had, seem at first sight to shift the onus of deciding the future constitution of India from Indian parties to the British Government, who have themselves come forward with an elaborate and detailed scheme. In so far as this shifting of onus may prove to be the case, it certainly seems to have been an unfortunate step which goes beyond what we understood was the purpose of the Ministers’ Mission, the mandate they received, which was defined by the Prime Minister as to set up machinery for Indians to decide their form of Government.”

Mr. Churchill added: “It will, I hope, however, be common ground that we cannot enforce by British arms a British-made constitution upon Indians against the wishes of any of the main elements in Indian life.”

Concluding, he said: “There remains the discharge of obligations to Indian minorities and the States. We must study the documents with long and searching attention in order to see that these duties have been faithfully safeguarded.

“It would seem at first sight that attention should be particularly directed to the position of the Muslim community of nearly 80,000,000 already most formidable of all races and creeds in the Indian sub-continent, and whose interest and future are a matter of great consequence to the community as a

whole and vital to the peace of India.

"Secondly, we must examine the provision made for the Depressed Classes, or Untouchables as they are called, who number nearly 6,000,000 and for whose status and future repeated assurances have been given and pledges made by many British Governments in the ancient and more recent times."

II

On the 17th May, Lord Wavell, unfolding the Plan in a broadcast message declared :

"I speak to the people of India at the most critical hour of India's history. The statement of the Cabinet Delegation containing their recommendations has now been before you for twenty-four hours. It is a blueprint for freedom, an outline of which your representatives have to fill in the details and construct the building.

"You will have studied the statement, most of you, and may perhaps already have formed your opinion on it. If you think that it shows a path to reach the summit at which you have been aiming for so long, the independence of India, I am sure you will be eager to take it. If you should have formed the view—I hope you have not—that there is no passage that way, I hope that you will study again the route indicated to you, and see whether the difficulties in the path—and we know they are formidable—cannot be surmounted by skill and patience and boldness."

"I can assure you of this, that very much hard work, very much earnest study, very much anxious thought and all the goodwill and sincerity at our command have gone to the making of these recommendations. We would much have preferred that the Indian leaders should have themselves reached agreement on the course to be followed, and we have done our best to persuade them; but it has not been found possible, in spite of concessions on both sides which at one time promised results.

Merits of the Proposals

"These proposals put before you are obviously not those that any one of the parties would have chosen, if left to itself; but I do believe that they offer a reasonable and workable basis on which to found India's future constitution. They preserve the essential unity of India which is threatened by the dispute between the two major communities; and in especial they remove the danger of the disruption of that great fellowship, the Indian Army, to which India already owes so much and on whose strength, unity and efficiency her future security will depend.

"They offer to the Muslim community the right to direct their own essential interests, their religion, their education, their culture, their economic and other concerns in their own way and to their own best advantage.

"To another great community, the Sikhs, they preserve the unity of their homeland, the Punjab, in which they have played and can still play so important and influential a part. They provide, in the Special Committee which forms a feature of the

Constitution-making machinery, the best chance for the smaller minorities to make their needs known and to secure protection for their interests.

" They seek to arrange a means for the Indian States, great and small, to enter by negotiation into the polity of a united India. They offer to India the prospect of peace—a peace from party strife, the peace so needed for all the constructive work there is to do. And they give you the opportunity of complete independence so soon as the Constituent Assembly has completed its labours.

Constructive Work Ahead

" I would like to emphasise the constructive work to be done. If you can agree to accept the proposals in the statement as a reasonable basis on which to work out your Constitution, then we are able at once to concentrate all the efforts and abilities in India on the short-term problems that are so urgent.

" You know them well—the immediate danger of famine to be countered, and measures taken to provide more food for everyone in future years; the health of India to be remedied; great schemes of wider education to be invited; roads to be built and improved; and much else to be done to raise the standard of living of the common man. There are also great schemes in hand to control India's water supplies, to extend irrigation, to provide power, to prevent floods; there are factories to be built and new industries to be started; while in the outside world India has to take her place in international bodies, in which her representatives have already

established a considerable reputation.

"It is, therefore, my earnest desire that in these critical times ahead in the Interim period while the new Constitution is being built, the Government of India should be in the hands of the ablest of India's leaders, men recognised as such by the Indian people, whom they will trust to further their interests and bring them to their goal.

Interim Government

"As said in the statement, I am charged with the responsibility to form such a Government as soon as possible, to direct the affairs of British India in the Interim period. There will be no doubt in the minds of anyone, I hope, how great a step forward this will be on India's road to Self-Government. It will be a purely Indian Government except for its head, the Governor-General; and will include, if I can get the men I want, recognised leaders of the main Indian parties, whose influence, ability and desire to serve India are unquestioned.

"Such a Government must have a profound influence and power not only in India, but also in the outside world. Some of the best ability in India, which has hitherto been spent in opposition, can be harnessed to constructive work. These men can be the architects of the new India.

"No constitution and no form of Government can work satisfactorily without goodwill; with goodwill and determination to succeed even an apparently illogical arrangement can be made to work. In

the complex situation that faces us, there are four main parties: the British; the two main parties in British India, Hindus and Muslims; and the Indian States. From all of them very considerable change of their present outlook will be required as a contribution to the general good, if this great experiment is to succeed. To make concession in ideas and principles is a hard thing and not easily palatable. It requires some greatness of mind to recognise the necessity, much greatness of spirit to make the concession. I am sure that this will not be found wanting in India, as I think you will admit that it has not been found wanting in the British people in this offer.

Most Momentous Experiment

"I wonder whether you realise that this is the greatest and most momentous experiment in Government in the whole history of the world—a new Constitution to control the destiny of 400,000,000 people. A grave responsibility indeed on all of us who are privileged to assist in making it.

Lastly, I must emphasise the seriousness of the choice before you. It is the choice between peaceful construction or the disorder of civil strife, between co-operation or disunity, between ordered progress or confusion. I am sure you will not hesitate in your choice for co-operation.

May I end with some words which were quoted by one great man to another at a crisis of the late war, and may well be applied to India at this crisis:

"Thou too, sail on, O Ship of State,
Sail on, O Union, strong and great:
Humanity with all its fears
With all the hopes of future years,
Is hanging breathless on thy fate."

The Cabinet Mission's proposals were further explained by the Commander-in-Chief, General Auchinleck in a broadcast in Hindustani from New Delhi on May, 17. He said that he would continue to be responsible for the command and welfare of the Army, Navy and Air Force but all political matters will be in hands of the new War Member under whom he (the Commander-in-Chief) shall serve just as the Commanders in Britain serve under civilian Ministers.

Speaking upon the importance of discipline, the Commander-in-Chief said :

"There is no doubt that today there is danger of strike and disorder in the country. Whether you are in the Army, the Navy or the Air Force, you will know the good that comes from discipline and toleration. You have also learned to live together, Hindu, Muslim, Sikh and Christian, in the service of your country without quarrelling or jealousy.

"You have learned each to respect the other and to work side by side for one object—the good of your country. In this you have set an example to all India. I trust you, as I have always trusted you, to go on setting this example and to do your duty, as you have always done it in war and peace, I for my part, shall do the same. So long as I am here, you may rely on me to safeguard your interests in the

future as in the past."

Independent Government

"As you have heard from H. E. the Viceroy," the Commander-in-Chief added, "the British Government have put forward a scheme to enable Indians to make their own constitution and set up an independent Indian Government. As you all know too, members of the British Government and the Viceroy have for some time past been discussing with the leaders of the Muslim League and of the Congress. They have been trying to decide what kind of Government shall be set up in India.

"Their object is to make good the promise of the British Government, that in future India shall be governed entirely by her own people, free from all control by Britain, and free to remain within the British Commonwealth or to go outside as she likes.

"In spite of every attempt to find a form of Government which would be acceptable to the Congress and the Muslim League, no agreement has been reached.

"The Muslim League considers that there must be two independent and separate Governments in India,—Pakistan for the Muslims and Hindustan for the Hindus. The Congress thinks that India must not be divided and that there should be one Central Government with the provinces controlling their own affairs to the greatest possible extent.

"This very briefly is the position taken up by

the two main political parties.

"It was hoped that between the two points of view some compromise acceptable to both parties might be found. This has, however, not been found possible, although both parties have, for the sake of goodwill, modified their views to a considerable extent.

"The British Government, therefore, having failed to get the two principal political parties to agree, has decided that it is their duty to the people of India to lay down what shall be done in order to give India her independence as soon as possible in an orderly and peaceful manner so that the mass of the people may be put to the least inconvenience and disturbance.

Justice for all

"In making these arrangements, the British Government has tried to ensure justice and freedom for the smaller as well as for the large sections of the people of India.

"The British Government realises that the Muslims have real fear that they may be forced to live for always under a Hindu government and that any new form of Government must be such as to make this fear groundless for all time.

"With this in view, the possibility of setting up a completely separate and independent Muslim state of Pakistan has been most carefully considered from every point of view and without any partiality at all.

" These proposals are meant to ensure that all creeds and classess shall have their say in how they are to be governed and also to prevent any one section of the people being forced to live under the rule of any other section, without being sure that they will have the right to live their lives in their own way without fear or persecution.

" The details of this new system of Government for India must be worked out by the people of India themselves. It is not the task of the British Government to do this.

Interim Government

" To carry on the administration of the country while a new system of Government is worked out, the Viceroy proposes to form an Interim Government composed of himself and of leaders of Indian political opinion who have the confidence of the people.

" In this temporary Government the post of War Member which is at present held by the Commander-in-Chief (that is myself) will be held by a who will be an Indian. I shall continue to be responsible for the command and welfare of the Army, all political matters will be the responsibility of the Member under whom I and the Navy and Air Force Commanders in Britain serve. The War Member will be in the hands of the new Government. The War Member shall serve, just as the Commander-in-Chief will serve, under civilian Ministers.

" While this temporary Government carries on the daily business of governing the country, it is proposed that there should be set up three assemblies

SOMETHING TO BE PROUD OF

composed of representatives of all parties and creeds and classes, and elected by the provincial legislatures.

"It will be the task of these three assemblies together with representatives from the Indian States to decide how India will be governed in the future.

"The British Government hopes that in this way peace and security will come to India under the rule of her own leaders and that she will become great and prosperous as she deserves.

"While these discussions and meetings are going on it is the duty of the Navy, Army and Air Force to continue to serve the Government and to carry out its orders.

"As I have said, this temporary Government will be an Indian Government composed of members chosen from the leaders of the main political parties in the country who have the full confidence of the people."

IV

Making an important exposition of the facts contained in the Mission's Plan, Sir Stafford Cripps stated at a brief press conference on the eve of the issue of the statement :

"You have heard two broadcasts on the statement," he began, "and you have the document before you. This evening the members of the Mission wanted an opportunity to meet you to give you

a few words of explanation, and tomorrow we shall be meeting you again to answer questions which you may have to put.

"I will make a few remarks about the statement while we are waiting for the Secretary of State to come from the broadcasting studio.

The first thing I want to point out is what the statement does not purport to do. Let me remind you that this is not merely the Mission's statement, that is, the statement of the four signatories, but is the statement of His Majesty's Government in the United Kingdom. Now the statement does not purport to set out a new constitution for India. It is of no use asking us "how do you propose to do this or that?" The answer will be we don't propose to do anything as regards the constitution. That is not for us to decide.

"What we have had to do is to lay down one or two broad principles of how the constitution might be constructed and recommend those as foundations to the Indian people. You will notice we use the word "recommend" with regard to the ultimate constitutional forms with which we deal.

"You may quite fairly ask, "but why do you recommend anything; why not leave it to the Indians?" The answer is that we are most anxious to get all Indians into some constitution-making machinery as quickly as possible and the block at present is in this matter. We are, therefore, by this means trying to remove the block so that the constitution-making may start and progress freely and rapidly. We hope very earnestly that that will be the effect.

SOMETHING TO BE PROUD OF

"Now that it has been finally and absolutely decided that India is to have the complete independence she desires, whether within or without the British Commonwealth as she chooses, we are anxious that she shall have it as soon as possible and the soonest is when there is a new constitutional structure decided upon by the Indian people.

But of course, we cannot just stand by and wait till that time comes. It is bound to take some time to reach that point of completion of the new constitutional structure.

"So as you know the Viceroy, in whose province Government-making primarily lies, has already started his talks with a view to the immediate setting up of a representative Indian Government. We hope that with the other issues out of the way on the basis of our statement, he will be able very rapidly to get that new government representative of the main parties set up and in operation.

"This matter of the interim Government is of supreme importance because of the enormous tasks facing India at the moment. It is these great tasks, and perhaps the greatest of them is to deal with the food situation, that makes it absolutely essential that we should between us arrange a smooth and efficient transition.

"Nothing could be more fatal to the Indian people to-day in the face of dangers of famine than a breakdown of administration and communications anywhere in India, and that is why we stress, the vital need for co-operation between all parties

and communities, including the British in this time of transition.

When Will the British Quit

So much then for the vitally important point of the interim Government. Some of you may wonder how soon this means that the British will sever their governmental connection with India—I hope that in any event we shall remain the closest friends when Indian freedom comes. Well we certainly can't say that. Who can foretell how quickly constitutions can be hammered out? One thing is, however, absolutely certain and this is the quicker you start, the quicker you will end and the sooner we shall be able to withdraw, handing over the power to the new governments of the Union, provinces and, if it is so decided, of the groups.

“This brings me to what has been decided rather than recommended. It has been decided to make a start with the constitution-making right-away. This does not mean a decision as to what the constitution shall finally be. That is for decision by the representatives of the Indian people. What it does mean is that the deadlock which has prevented a start on the process of constitution-making, is to be removed once and for all.

Constitution-making Bodies

“The form in which we propose that the constitution-making bodies should be assembled is important for this reason. It permits of arriv-

ing at constitutions in the recommended form. It does a little further than that in one respect. As we believe and hope that the two parties will come into this constitution-making on the basis of our recommendations, it would not be fair to either of them if the fundamental basis which we recommend could be easily departed from. So we stipulate that a departure from that basis which is laid down in paragraph 1 of the statement should only be made if a majority of both communities agree to it. That I think is eminently fair to both parties. It does not mean that no departure can be made from the recommendations, but it does mean that the special provisions, I have mentioned, will apply to such resolutions in the constituent assembly of the Union. The only special provision as to particular majorities is the only other is in relation to matters raising any major communal issue when a similar majority will apply. All the rest is left to the free play of discussion and vote.

Three Sections

"The question I am sure will occur to all of you, and that is why we have named the three section provinces into which the assembly will break up, is to formulate the provincial and group constitutions.

"There was a very good reason for this. For of all, of course, somehow or other those groups had to be formed before they could proceed to the business. There were two ways of dealing with the matter. Either let the present provincial govern-

ments opt themselves into groups or—after seeing the constitutions produced—let the new governments after the whole constitution-making is complete opt themselves out, if they wish. We have chosen the second alternative for two reasons.

“First, because it follows the suggestion Congress put forward as regards the provinces and a single federation. They suggested that all the provinces should come in at the beginning but could opt out if they did not like the constitution when they had seen it. We think that this principle should apply to the groups.

“Second, the present legislatures are not truly representative of the whole population because of the effect of the communal award with its weightages.

“We have tried to get a scheme as near as possible to the full adult suffrage which would be fairest but which would take probably two years to work out—and no one believes that we could wait that length of time before starting on constitution-making. So we discard the present legislatures as decisive for the option and say let it be exercised when the first new elections have taken place when no doubt there will be a much fuller franchise and when, if necessary, the precise issue can be raised at the election. So the three sections will formulate the provincial and group constitutions, and when that is done, they work together with the States' representatives to make the Union Constitution. That is the final phase.

States' Position

"Now a word about the states. The statement in paragraph 14 makes the position quite clear that paramountcy cannot be continued after the new constitution comes into operation, nor can it be handed over to anyone else. It is not necessary for me to state—I am sure—that a contract or arrangement of this kind cannot be handed over to a third party without the consent of the states. They will, therefore, become wholly independent but they have expressed their wish to negotiate their way into the Union and that is a matter we leave to negotiation between the states and the British Indian parties.

"There is one other important provision which I would like to stress as it is somewhat novel in constitution-making. We were met by the difficulty of how we could deal fairly with the smaller minorities, the tribal and the excluded areas. In any constitution-making body it would be quite impossible to give them a weightage which would secure for them any effective influence without gravely upsetting the balance between the major parties. To give them a tiny representation would be useless to them so we decided that minorities would be dealt with really in a double way. The major minorities, such as the Hindus in Muslim provinces and the Muslims in Hindu provinces, the Sikhs in the Punjab and the Depressed Classes who had considerable representation in number of provinces would be dealt with by proportional representation in the main construction of the constitution-making bodies.

"But in order to give these minorities and

particularly the small minorities like the Indian Christians and the Anglo-Indians and also the tribal representatives a better opportunity of influencing minority provisions, we have made provision for the setting up by the constitution-making body of an influential advisory commission which will take the initiative in the preparation of the list of fundamental rights, the minority protection clauses and the proposals for the administration of tribal and excluded areas. This commission will make its recommendations to the constitution-making body and will also suggest at which stage or stages in the constitution these provisions should be inserted, that is, whether in the Union, group or provincial constitutions or in any two or more of them.

"Now that I think gives you some picture of the main points with which we have dealt in our statement.

"There is only one other point that I want to stress before leaving the matter with you until tomorrow morning.

"You will realise, I am sure, how terribly important is this moment of decision for the Indian people.

"We are all agreed that we want a speedy conclusion of these matters. So far we have not been able all to agree upon how it should be brought about. We have done in this statement what we believe to be best after two months of discussion and very hard work and in the light of all we have heard and studied. This is our firm opinion and we do not, of course, intend to start all the negotiations

over again. We intend to get on with the job on the lines we have laid down. We ask the Indian people to give this statement calm and careful consideration. I believe that the happiness of their future depends upon what they now do.

"In failing their own agreement, they will accept this method that we put forward of getting on with the making of a new constitution for India. We can between us make it a smooth transition and a rapid one but if the plan is not accepted no one can say how great will be the disturbance, or how acute and long the suffering that will be self-inflicted on the Indian people.

We are convinced that this statement offers an honourable and peaceful method to all parties and if they will accept it we will do all that lies in our power to help forward the constitution-making so as to arrive at the speediest possible settlement.

"Let no one doubt for one moment our intentions. We have not come to India and stayed here so long and worked so hard except to carry out what has long been the policy of the British Labour Party, that is, to transfer power to the Indian people as quickly, as smoothly and as co-operatively as the difficulties of the process permit.

"We hope from the bottom of our hearts that the Indian people will accept the statement in the spirit of co-operation in which it has been drawn up, and that within a week or two the process of constitution-making may begin and the interim

THE CABINET MISSION

Government may be formed."

V

Lord Pethick-Lawrence dealt with the proposed Plan of the new Constitution for India at a press conference held on the 17th May. Some of the important questions which he answered were as follows :

Q. Just as the provinces have the right to opt out of the groups, will they have the right to secede from the Indian Union, say within two years?

Ans. They will not have the right to opt out in a period of two years. What they will have the right to do is to ask for a revision of the constitution at the end of ten years.

Q. Supposing Assam, which has a Congress Ministry, decides not to come into group with Bengal, which has a Muslim League Ministry, would Assam be allowed to join any other group?

Ans. The right to opt out comes later, for this reason, that the whole picture should be understood before the option is exercised.

Can a province, if it opts out of the section, go into another section?

Lord Pethick-Lawrence replied that if the right was given to a province to opt into another section and that other section did not want to receive it, a rather awkward situation would arise. An answer

to the question was not laid down in the statement, but it would be open to the Constitution Assembly to deal with it at the appropriate time.

Right to Opt out of Group

Q. If any province does not wish to join the group in which it has been put, can it stay out ?

Ans. The provinces automatically come into the section "A", "B" and "C" which are set out in the statement. Initially they are in the particular section to which they are allocated in the statement and that particular section will decide whether a group shall be formed and what should be the constitution. The right to opt out of the group formed by that section arises after the constitution has been framed and the first election to the legislation has taken place after that constitution. It does not arise before that.

Q. There is a provision whereby any province could, by a majority vote of its Legislative Assembly, call for a reconsideration of the terms of the constitution after an initial period of ten years. Is there included in the words "call for a reconsideration of the terms of the constitution" any right to have secession considered ?

Ans. If you revise the constitution, quite clearly the whole basis of the constitution can be considered again. Any province can ask for a revision of the constitution. And so far as I can see, when that revision is undertaken, all questions in the constitution are open to rediscussion.

Option to be Out of Union

Q. If the provinces in the section "B", which formed a Muslim majority area, decided to form a group but, would not come into the Union, what would be the position ?

Ans. It would be a breach of the condition under which all these people met together for the purpose of making the constitution and, therefore, the constitution-making machinery would break down if it was persisted in. That is contrary to the understanding on which these people came together. If they are coming together on an understanding presumably honourably accepting the major premise, and if they were to refuse that later on, it will be a breach of the understanding and we do not contemplate such a thing.

Q. Could the provinces after 10 years decide to be a separate sovereign state?

Ans. If the constitution is being revised, of course, all proposals for its revision will be open for discussion. Whether they would be carried through is quite another question.

Q. Supposing a group decides not to come into the Union Constituent Assembly, what would be the position as far as that group is concerned?

Ans. This is a purely hypothetical question. You cannot forejudge exactly what would be done in the event of people not co-operating, but there is every intention to proceed with the constitution-making machinery as it is set out in the statement.

SOMETHING TO BE PROUD OF

What will happen if one person or any person or groups of people in some way tried to put spanners in the wheels, I am not prepared at this stage precisely to say, but the intention is to get on with the job.

Condition for Election

Q. Can the provincial assemblies elect people from outside their membership?

Ans. Yes, that is not excluded under the terms of the statement.

Q. Does the ten-year period set for revision of the constitution mean that the Union constitution is inviolable for ten years.

A. What it does mean is that Constituent Assembly will lay down provisions for the revision of the constitution. This is in accordance with what is taking place in a great many other countries in the world. There must be some provisions for revision. Precisely what the conditions of revision are, is a matter for the Constituent Assembly to decide. I do not think I can go further into that.

Q. Will it be open to the Constituent Assembly to endow the Union with all powers of taxation, including Customs, Income-tax and other taxes?

Lord Pethick-Lawrence replied that the statement left it open to the Constituent Assembly to interpret the words relating to Finance, subject to the condition that any resolution raising a major

communal issue should require a majority of the representatives present and voting of each of the two major communities. Subject to that, and subject to alternations in the basic formula, a bare majority in the Constituent Assembly could carry a proposal.

Lord Pethick-Lawrence said that the question of including Currency in the Central List could be discussed, if necessary, in the constitution-making body.

Replying to a number of questions on Indian States, the Secretary of State reiterated that paramountcy would continue in the interim period. He stated that the Mission had already received indications from most of the principal states and representatives of large bodies of other states that they had no desire to impede the progress of India towards self-government and independence and that they wanted to co-operate in it.

As regards the position of the India Office during the interim period, Lord Pethick-Lawrence said that for months now India Office had been proceeding on the assumption that the time would come when great changes would be made in India and the whole position of the India Office would be altered. Its vast administrative machine would, however, be at the disposal of the new constitution in India.

Q. If the constitution-making body decides that as a preliminary to proceedings with its work British troops should be withdrawn, will they be withdrawn?

SOMETHING TO BE PROUD OF

Ans. I think that it is a misunderstanding of the situation. Someone must be responsible for law and order in a country. In the provinces the Indian Governments are really responsible for law and order, but the ultimate responsibility rests with the Government of India.

We are anxious to transfer that at the earliest possible moment, but we must transfer it to a properly constituted government. When that time comes, we will make the transfer.

Q. What will be the next stage of activity of the Cabinet Delegation?

Ans. The first thing is to get this Plan accepted by the two main communities and I hope that will be carried through as soon as possible.

Q. What will be the percentage of Muslims in Interim Government?

Ans. The question of the Interim Government is not for us to decide; it is primarily a question for the Viceroy.

Viceroy's Veto

Q. During the interim period, will the Viceroy's veto be exercised as at present?

Ans. That is a question for the Viceroy and he is now negotiating with the parties.

Lord Pethick-Lawrence said that the divi-

sion into three main communities—General, Muslim and Sikh—had not been made in consultation with any party. "The statement is our own and does not represent necessarily the opinion of anybody in India. But it is put out after we have discussed all these matters with different Indians and it is our attempt to reach the most likely method which will be accepted by the different parties.

Q. Has the Congress agreed to this?

Ans. We have not put this out on the basis that anybody has agreed to anything. It is our statement and stands on its own footing.

Is Churchill Correct?

There were a number of questions based on Mr. Churchill's speech in the House of Commons.

Q. Is Mr. Churchill correct in suggesting that the "shifting of the onus of deciding the future constitution from Indians to H.M.G., is an unfortunate step going beyond the understood purpose and mandate of the mission?"

Ans. There has been no shifting of the onus of deciding the constitution. If we could have arranged by agreement between the parties in India the basis of a constitution on which they could come together in a constitution-making body, nothing would have pleased us better.

In default of that, we thought it desirable to make certain recommendations as to the basis on

which they could come together and the Viceroy is prepared to summon a constitution-making body on that basis. We believe that is in accord with the wish not only of Indians, but the majority of our own people at home.

Legislative Steps :

Q. What legislative steps will be required for setting up the Interim Government, the creation of the new constitution and abrogation of the King's title of Emperor of India ?

Ans. So far as the first two are concerned, no legislative steps are necessary at all. So far as ultimate step is concerned, that is a matter of constitutional law and I cannot answer offhand. So far as I know, speaking without consideration, I am not at all sure that a precise statute will be required for it, but I should not like that to be taken as final.

There will naturally have to be a debate in Parliament and some legislative step will have to be taken with the consent of His Majesty the King. But I do not contemplate any difficulty about all that. The present Labour Government is in a considerable working majority in the House of Commons and I do not imagine any serious difficulty in carrying it through.

Q. You agree with Mr. Churchill when he implies that you have laboured not to gain at Empire, but to cast it away ?

Ans. I can only say that what we are doing to-

day is in accord with the views that have been expressed all through by the really great statesmen in our country and nothing can redound more to the highest traditions of liberty which prevail in my country, than if as a result of our labour we have in the years to come a sovereign country here in India whose relationship with ours is one of friendliness and equality in the days to come."

CHAPTER V

PILLS—PLAIN AND SUGAR-COATED

“ A Sugar-coated Pakistan ”

—*Emannuel Cellar*

“ It was a sugar-coated pill, but there was so little sugar that within a short time the Congress press felt it was a pill minus sugar.”

—*M. A. Jinnah.*

“ I would tell you,” said Mahatma Gandhi after carefully reading the Cabinet Mission’s proposals, “ that the Mission have brought forth something of which you have every reason to be proud. It is good,” he added, “ that we are not described as Hindus, Muslims, Sikhs and other religious communities. This is an advance. . . It would be grievously wrong to doubt in advance everyone of my countrymen. Whatever the wrong done to India by British rule, if the statement of the Mission is genuine, as I believe it is, it is in discharge of an obligation they have declared the British owed to India, namely, to get off India’s back. It contains the seed to convert this land of sorrow into one without sorrow and suffering.”

After the issue of the above statement of Gandhiji, it appeared certain that the Congress Working Committee’s verdict on the Cabinet Mis-

sion's proposals will be one of welcome and approval.

The Working Committee held a lengthy discussion on Sunday, the 19th May. Members were believed to be primarily concerned with the grouping of provinces that had been done in the Plan of the Mission.

On the following day the Congress Working Committee held another meeting wherein it was decided to authorise the Congress President to address a communication to the Secretary of State for India seeking clarification on the under-mentioned points in the Cabinet Mission's Plan :

(1) *Grouping of provinces: Whether it is compulsory for any one of the provinces coming under Groups B and C to enter the Groups or they are free to refuse to join the Group to which are they assigned. The Working Committee has received representations from Assam and the North-West Frontier expressing their unwillingness to be compelled to join these Groups.*

“(2) What will be the method of representation in the Constituent Assembly in so far as the Indian States are concerned? This matter has been left vague in the proposals and the Congress is anxious to know whether the people of the States will get proper representation in the Constituent Assembly as they are unwilling to accept representation on their behalf through their rulers or their nominees.

“(3) Whether European members of Bengal

and Assam Legislative Assemblies, where they hold a substantial number of seats, will be permitted to vote in the election of delegates for the Constituent Assembly in Group C.

"(4) The Hindus and Sikhs in the Frontier who between them form a quarter million, a number larger than the European population, get no representation in the Constituent Assembly."

The question of questions, however, was whether it was intended to permit option for provinces to form groups or not?

As regards the Muslim League's reaction, it was learned that Mr. Jinnah would release his statement on the proposals by the Mission on the 22nd May.

Mr. Jinnah's statement, which appeared on the 22nd evening did not give any clue to the final attitude of the Muslim League towards the said proposals, except making it clear that the question would finally be decided by the Working Committee, and the Council of the League meeting on the 3rd and 5th June, respectively. Mr. Jinnah, however, in the course of his statement, regretted that the Mission had negatived the Muslim demand for the establishment of a complete sovereign state of Pakistan, which he still held was the only solution of the constitutional problem of India, and which alone could secure a stable Government and lead to the happiness and welfare, not only of the two major communities, but of all the people of this sub-continent. The following is the text of his statement examining critically the Cabinet Mission's proposals :

"I have now before me the statement of the British Cabinet Delegation and His Excellency the Viceroy, dated the 15th May, 1946, issued at Delhi. Before I deal with it, I should like to give a background of the discussions that took place at Simla from the 5th May onwards till the Conference was declared concluded and its breakdown announced in the official communique dated the 12th May, 1946. We met in the Conference on the 5th May to consider the formula embodied in the letter of the Secretary of State for India dated 27th April, 1946, inviting the League representatives.

The formula was as follows: A Union Government is to deal with the following subjects: Foreign Affairs, Defence and Communications. There will be two groups of provinces, one of the predominantly Hindu provinces, and the other of the predominantly Muslim provinces, dealing with all the other subjects which the provinces in the respective groups desire to be dealt with in common. The Provincial Governments will deal with all other subjects and leave all the residuary powers and sovereign rights.

The Muslim League's position was that:

Firstly, the zones comprising Bengal and Assam, in the North-East, and the Punjab, N.-W.F.P., Sind and Baluchistan in the North-West of India, constitute the Pakistan zones and should be constituted as a sovereign independent state; and that an unequivocal undertaking be given to implement the establishment of Pakistan without delay.

Secondly, that separate Constitution-making bodies be set up by the peoples of Pakistan and Hindustan for the purpose of framing their respective constitutions.

Thirdly, that minorities in Pakistan and Hindustan be provided with safeguards on the lines of the Lahore Resolution.

Fourthly, that the acceptance of the League demand and its implementation without delay were a *sine quo non* for the League co-operation and participation in the formation of an Interim Government at the Centre.

Fifthly, it gave a warning to the British Government against any attempt to impose a Federal Constitution on a United India basis or forcing any interim arrangement at the Centre contrary to the League demand; and that Muslim India would resist if any attempts to impose it were made.

Besides, such an attempt would be the grossest breach of faith of the declaration of His Majesty's Government made in August 1940 with the approval of the British Parliament and subsequent pronouncements by the Secretary of State for India and other responsible British statesmen from time to time reaffirming the August declaration.

Mission's Invitation

We accepted the invitation to attend the Conference without prejudice and without accepting the fundamental principles underlying this short

formula of the Mission on the assurance given by the Secretary of State for India in his letter dated the 29th April, 1946, wherein he said : " We have never contemplated that acceptance by the Muslim League and the Congress of our invitation would imply as a preliminary condition for full approval by them of the terms set out in my letter."

These terms are : " Our proposed basis for a settlement and what we have asked the Congress Working Committee to do is to agree to send its representatives to meet ourselves and representatives of the Muslim League in order to discuss it."

The Congress position in reply to the invitation was stated in their letter of April 28, 1946, that a strong Federal Government at the Centre with present provinces as federating units be established and they laid down that Foreign Affairs, Defence, Currency, Customs, Tariffs and " such other subjects as may be found on closer scrutiny to be intimately allied to them, should vest in the Central Federal Government.

They negatived the idea of grouping of provinces. They also agreed to participate in the Conference to discuss the formula of the Cabinet Delegation.

After days of discussion no appreciable progress was made. Finally, I was asked to give our minimum terms in writing. Consequently, we embodied certain fundamental principles of our terms in writing as an offer to the Congress in the earnest desire for a peaceful and amicable settlement and for the speedy attainment of freedom and independence of the peoples of India. It was communicated

to the Congress on the 12th May and a copy of it was sent to the Cabinet Mission at the same time.

League Offer

The following were the terms of the offer :

1. The six Muslim Provinces (Punjab, N.-W.F.P., Baluchistan, Sind, Bengal and Assam) shall be grouped together as one group and will deal with all other subjects and matters except Foreign Affairs, Defence and Communications necessary for defence, which may be dealt with the Constitution-making bodies of the two groups of Provinces—Muslim Provinces (hereinafter named Pakistan Group) and Hindu Provinces—sitting together.

2. There shall be a separate Constitution-making body for the six Muslim Provinces named above, which will frame Constitutions for the Group and the Provinces in the Group and will determine the list of subjects that shall be Provincial and Central (of the Pakistan Federation) with residuary sovereign powers vesting in the Provinces.

3. The method of election of the representatives to the Constitution-making body will be such as would secure proper representation to the various communities in proportion to their population in each Province of the Pakistan Group.

4. After the Constitutions of the Pakistan, Federal Government and the Provinces are finally framed by the Constitution-making body, it will be open to any Province of the Group to decide to opt

out of its Group, provided the wishes of the people of that Province are ascertained by a referendum to opt out or not.

5. It must be open to discussion in the joint Constitution-making body as to whether the Union will have a Legislature or not. The method of providing the Union with finance should also be left for decision of the joint meeting of the two Constitution-making bodies, but in no event shall it be by means of taxation.

6. There should be parity of representation between the two Groups of Provinces in the Union Executive and the Legislature, if any.

7. No major point in the Union Constitution which affects the communal issue shall be deemed to be passed in the Joint Constitution-making body, unless the majority of the members of Constitution-making body of the Hindu Provinces and the majority of the members of Constitution-making body of the Pakistan Group, present and voting, are separately in its favour.

8. No decision, legislative, executive or administrative, shall be taken by the Union in regard to any matter of controversial nature, except by a majority of three-fourths.

9. In Group and Provincial Constitutions fundamental rights and safeguards concerning religion, culture and other matters affecting the different communities will be provided for.

10. The Constitution of the Union shall contain

a provision whereby any Province can, by a majority vote of its Legislative Assembly, call for reconsideration of the terms of the Constitution, and will have the liberty to secede from the Union at any time after an initial period of ten years.

The Crux

The crux of our offer, as it will appear from its text, was, *inter alia*, that the six Muslim Provinces should be grouped together as Pakistan Group and on the basis of two federations we were willing to consider the Union or Confederation strictly confined to three subjects only, namely, Foreign Affairs, Defence and Communications necessary for defence which the two sovereign federations would voluntarily delegate to the confederation.

All the remaining subjects and the residue were to remain vested in the two federations and the provinces, respectively. This was intended to provide for a transitional period, as after an initial period of ten years we were free to secede from the Union. But unfortunately this most conciliatory and reasonable offer was in all its fundamentals not accepted by the Congress, as will appear from their reply to our offer.

On the contrary their initial suggestions were the same as regards the subjects to be vested in the Centre as they had been before the Congress entered the Conference and they made one more drastic suggestion for our acceptance that the Centre must also have the power to take remedial action in cases of breakdown of the Constitution and

Zone and Section C for the North-Eastern Zone.

(2) Instead of two Constitution-making bodies, only one Constitution-making body is devised, that for Sections A, B and C.

(3) They lay down that "there should be a Union of India, embracing both British India and the States, which should deal with the following subjects: Foreign Affairs, Defence and Communications; and should have the powers necessary to raise the finances required for the above subjects."

There is no indication at all that the Communications would be restricted to what is necessary for defence. Nor is there any indication as to how this Union will be empowered to raise finances required for these subjects, while our view was that finances should be raised only by contributions and not by taxation.

(4) It is laid down that "the Union should have an Executive and Legislature constituted from British India and States' representatives. Any question raising a major communal issue in the Legislature should require for its decision a majority of the representatives present and voting of each of the two major communities as well as a majority of all the members present and voting."

Concessions Ignored :

While our view was : (a) That there should be

no Legislature for the Union, but the question should be left to the Constituent Assembly to decide ; (b) that there should be parity of representation between the Pakistan Group and the Hindustan Group in the Union Executive and Legislature, if any ; and (c) that no decision, legislative, executive or administrative should be taken by the Union in regard to any matter of controversial nature, except by a majority of three-fourths. All these three terms of our offer have been omitted from the statement.

Indeed there is one safeguard for the conduct of business in the Union Legislature : that any question raising a major communal issue in the Legislature should require for its decision a majority of the representatives present and voting of each of the two major communities as well as a majority of all the members present and voting.

Even this is vague and ineffective. To begin with, who will decide and how as to what is a minor communal issue and what is a purely non-communal issue ?

(5) Our proposal that the Pakistan Group should have a right to secede from the Union after an initial period of ten years, although the Congress had no serious objection to it, has been omitted and now we are only limited to a restriction of terms of the Union Constitution after an initial period of ten years.

(6) Coming to the Constitution-making machinery, here again a representative of British Baluchistan is included in Section B, but how he will be elected, is not indicated.

(7) With regard to the Constitution-making body for the purpose of framing the proposed Union Constitution, it will have an overwhelming Hindu majority. In a House of 292 for British India, the Muslim strength will be 79 and if the number allotted to the Indian States, *i.e.*, 93 is taken into account, it is quite obvious that the Muslim proportion will be further reduced as the bulk of the States' representatives would be Hindus.

This Assembly, so constituted, will elect the chairman and other officers and, it seems, also the members of the Advisory Committee referred in paragraph 20 of the statement by a majority, and the same rule will apply to other normal business. But I note that there is only one saving clause which runs as follows :

"In the Union Constituent Assembly resolutions varying the provisions of paragraph 15 above or raising any major communal issue shall require a majority of the representatives present and voting of each of the two major communities.

Chairman's Powers

"The Chairman of the Assembly shall decide which (if any) of the resolutions raise major communal issue and shall, if so requested by a majority of the representatives of either of the major communities, consult the Federal Court before giving his decision."

It follows, therefore, that it will be the Chairman alone who will decide. He will not be

bound by the opinion of the Federal Court. Nor need anybody know what that opinion was, as the Chairman is merely directed to consult the Federal Court.

(8) With regard to the provinces opting out of the Group, it is left to the new Legislature of the Provinces, after the first General Election under the new Constitution, to decide instead of a referendum of the people as was suggested by us.

(9) As for paragraph 20 which runs as follows :—

“The Advisory Committee on the rights of citizens' minorities and tribal and excluded areas should contain full representation of the interests affected, and their function will be to report to the Union Constituent Assembly upon the list of Fundamental Rights the clauses for the protection of minorities, and a scheme for the administration of the tribal and excluded areas, and to advise whether these rights should be incorporated in the Provincial Group, or Union Constitution.”

No Anticipation

This raises a very serious question indeed, for it is left to the Union Constituent Assembly to decide these matters by a majority vote whether any of the recommendations of the Advisory Committee should be incorporated in the Union Constitution, then it will open a door to more subjects being vested in the Union Government. This will destroy the very basic principles that the Union is to be strictly confined to three subjects.

"These are some of the main points," said Mr. Jinnah in conclusion, "which I have tried to put before the public after studying this important document. I do not wish to anticipate the decision of the Working Committee and the Council of the All-India Muslim League which are going to meet shortly at Delhi. They will finally take such decisions as they may think proper after careful consideration of the pros and cons and a thorough and dispassionate examination of the statement of the British Cabinet Delegation and His Excellency the Viceroy."

On the 23rd May, the Viceroy invited the Congress President, Maulana Abul Kalam Azad, and Pandit Jawaharlal Nehru to a meeting for discussing the points objected to by the Congress Working Committee in the Mission's proposals. It was believed that the Congress Working Committee had conveyed to the Viceroy through the Congress President its reactions to the proposals the Mission had made, emphasising that the Congress could not agree to parity of representation between Hindus and Muslims in the new Government.

The Congress Working Committee, resuming its sitting on the 24th May criticised in a 1000-word resolution what they considered as objectionable features of the Mission's proposals, and showed their inability to give a final opinion on the Plan in the absence of a full picture of the proposed provisional Government.

Following is the text of their resolution:

"The Working Committee has given careful

consideration to the statement dated May 16, 1946, issued by the delegation of the British Cabinet and the Viceroy on behalf of the British Government as well as the correspondence relating to it that has passed between the Congress President and the members of the delegation. They have examined it with every desire to find a way for a peaceful and co-operative transfer of power and the establishment of a free and independent India. Such an India must necessarily have a strong central authority capable of representing the nation with power and dignity in the counsels of the world.

Congress Objectives

In considering the statement the Working Committee have kept in view the picture of the future, in so far as this was available to them from the proposals made for the formation of a provisional Government and the clarification given by members of the delegation.

This picture is still incomplete and vague. It is only on the basis of the full picture that they can judge and come to a decision as to how far this is in conformity with the objectives they aim at. These objectives are :

Independence for India, a strong, though limited, central authority, full autonomy for the provinces, the establishment of a democratic structure in the units, the guarantee of the fundamental rights of each individual so that he may have full and equal opportunities of growth, and further that each community should have opportunity to live the life of its

choice within the larger framework.

Independence : the Goal

The Committee regret to find a divergence between these objectives and the various proposals that have been made on behalf of the British Government, and, in particular, there is no vital change envisaged during the interim period when the provisional Government will function in spite of the assurance given in paragraph 23 of the statement. If the independence of India is aimed at, then the functioning of the provisional Government must approximate closely in fact, even though not in law, to that independence and all obstructions and hindrances to it should be removed. The continued presence of a foreign army of occupation is a negation of independence.

Objectionable Recommendations

The statement issued by the Cabinet delegation and the Viceroy contains certain recommendations and suggests a procedure for the building up of a constituent assembly which is sovereign in so far as the framing of the constitution is concerned. The Committee do not agree with some of these recommendations. In their view, it will be open to the Constituent Assembly itself at any stage to make changes and variations, with the proviso that in regard to certain major communal matters a majority decision of both the major communities will be necessary.

European M. L. A.s in Assam and Bengal

The procedure for the election of the Constituent Assembly is based on representation in the ratio of one to a million but the application of this principle appears to have been overlooked in the case of European members of Assemblies, particularly in Assam and Bengal. Therefore, the Committee expects that this oversight will be corrected.

Baluchistan

The Constituent Assembly is meant to be a fully elected body, chosen by the elected members of the provincial legislatures. In Baluchistan, there is no elected assembly or any other kind of chamber which might elect a representative for the Constituent Assembly. It would be improper for any kind of nominated individual to speak for the whole province of Baluchistan which he really does not represent in any way.

Coorg

In Coorg the Legislative Council contains some nominated members as well as Europeans elected from a special constituency of less than a hundred electors. Only the elected members from the general constituencies should participate in the election.

Marked Discrepancy

The statement of the Cabinet delegation affirms

the basic principle of provincial autonomy and residuary powers vesting in the provinces. It is further said that provinces should be free to form groups. Subsequently, however, it is recommended that provincial representatives will divide up into sections which shall proceed to settle the provincial constitutions for the provinces in each section and shall also decide whether any group constitution shall be set up for those provinces.

There is a marked discrepancy in these two separate provisions, and it would appear that a measure of compulsion is introduced which clearly infringes the basic principle of provincial autonomy.

Constituent Assembly Must Be Final Authority

In order to retain the recommendatory character of the statement, and in order to make the clauses consistent with each other, the Committee read paragraph fifteen to mean that, in the first instance, the respective provinces shall make their choice whether or not to belong to the section in which they are placed. Thus, the Constituent Assembly must be considered as a sovereign body, with final authority for the purpose of drawing up a constitution and giving effect to it.

Provisions Regarding States Vague

The provisions in the statement in regard to the Indian States are vague and much has been left for future decision. The Working Committee would, however, like to make it clear that the Constituent

Assembly cannot be formed of entirely separate elements, and the manner of appointing State representatives for the Constituent Assembly must approximate, in so far as is possible, to the method adopted in the provinces.

The Committee are gravely concerned to learn that even at this present moment some State Governments are attempting to crush the spirit of their people with the help of the armed forces. These recent developments in the States are of great significance in the present and for the future of India, as they indicate that there is no real change of policy on the part of some of the State Governments and of those who exercise paramountcy.

A provisional national Government must have a new basis and must be a precursor of the full independence that will emerge from the Constituent Assembly. It must function in recognition of that fact, though changes in law need not be made at this stage.

Independence : India's Right and Due

The Governor-General may continue as the head of that Government during the interim period but the Government should function as a cabinet responsible to the Central Legislature. The status, powers and composition of the provisional Government should be fully defined in order to enable the committee to come to a decision. Major communal issues shall be decided in the manner referred to above in order to remove any possible fear or suspicion from the minds of a minority.

The Working Committee consider that the connected problems involved in the establishment of a provisional Government and Constituent Assembly should be viewed together so that they may appear as parts of the same picture, and there may be co-ordination between the two, as well as an acceptance of the independence that is now recognised as India's right and due. It is only with the conviction that they are engaged in building up a free, great and independent India, that the Working Committee can approach this task and invite the co-operation of all the people of India. In the absence of a full picture, the Committee are unable to give a final opinion at this stage."

The Cabinet Mission and the Viceroy, after considering the statements issued by Mr. Jinnah and by the Congress Working Committee, issued an explanatory note on the proposal making clear that—

(a) The scheme stands as a whole, and can only succeed if it is accepted and worked in a spirit of co-operation.

(b) Congress interpretations regarding the initial compulsory grouping of provinces...are not correct.

(c) The Constituent Assembly cannot have 'sovereignty,' but His Majesty's Government will recommend to Parliament such action as may be necessary for the cession of sovereignty to the Indian people, subject toadequate provision for the protection of the minorities and willingness to conclude a treaty with His

Majesty's Government to cover matters arising out of the transfer of power!

(d) It was agreed 'that all portfolios, including that of the War Member, would be held by Indians and the members would be selected in consultation with the Indian political parties.'

(e) There was no intention of retaining British troops in India against the wish of an independent India under the new constitution; but during the interim period, which, it was hoped, would be short, the British Parliament had, under the present constitution, the ultimate responsibility for the security of India, and it was necessary, therefore, that British troops should remain in this country.

II

Summing up his reactions to the explanatory statement issued by the Cabinet Mission, Maulana Abul Kalam Azad stated on the 26th May: "The statement has not improved the matter so far as the Congress is concerned." The impressions gathered from Congress circles pointed out the fact that the majority of the Congress Working Committee members were definitely opposed to parity being given to the League representatives in the interim Government.

But Mahatma Gandhi, on the other hand, assured the people that the British Cabinet proposals for bringing India to Independence were 'the best document the British Government could have produced

in the circumstances.' In his statement issued in the *Harijan*, which is reproduced below, Gandhiji gives his interpretation on the important feature of the Plan, viz., the grouping of provinces. According to him, there is not the slightest cause of perturbation over the Group-proposals, and the members have the liberty to join or to opt out of their proposed groups in the light of paras 5 and 19 of the said Plan. Here is the text of his statement:

"It reflects our weakness, if we would be good enough to see it. The Congress and the Muslim League did not, and could not agree. We would grievously err, if at this time we foolishly satisfy ourselves that the differences are a British creation. The Mission have not come all the way from England to exploit them. They have come to devise the easiest and quickest method of ending British rule. We must be brave enough to believe their declaration until the contrary is proved. Bravery thrives upon the deceit of the deceiver.

"My compliment, however, does not mean that what is best from the British standpoint is also best or even good from the Indian. Their best may possibly be harmful. My meaning will, I hope, be clear from what follows.

"The authors of the document have endeavoured to say fully what they mean. They have gathered from their talks the minimum they thought would bring parties together for framing India's charter of freedom. Their one purpose is to end British rule as early as possible.

"Since in Simla the two parties, though the

Mission succeeded in bringing them together at the conference table (with what patience and skill they could do so, they alone could tell) could not come to any agreement. Nothing daunted them. They descended to the plains of India and devised a worthy document for the purpose of setting up the Constituent Assembly which should frame India's charter of independence free from any British control or influence.

"It is an appeal and an advice. It has no compulsion in it. Thus the Provincial Assemblies may not elect the delegates. The delegates having been elected may or may not join the Constituent Assembly.

Nothing Binding in Law

"The Assembly having met may lay down a procedure different from the one laid down in the statement. Whatever is binding on any person or party arises out of necessity of the situation. The separate voting is binding on both the major parties, only because it is necessary for the existence of the Assembly, and not otherwise. At the time of writing I took up the statement, re-read it clause by clause, and came to the conclusion that there was nothing in it binding in law. Honour and necessity alone are the two binding forces. What is binding is that part of it which commits the British Government.

Act of Renunciation

"When I suppose the four members of the

British Mission took the precaution receiving full approval of the British Government and the two Houses of Parliament, the Mission are entitled to warm congratulations for the first step in the act of renunciation which the statement is. Since other steps are necessary for full renunciation, I have called this one a promissory note.

“ Though the response to be made by India is to be voluntary, the authors have naturally assumed that the Indian parties are well organised and responsible bodies capable of doing voluntary acts as fully as if not more fully than compulsory acts. Therefore, when Lord Pethick-Lawrence said to a press correspondent if they do come together on that basis it will mean that they will have accepted that basis but they can still change it, if by a majority of each party they decided to do so, he was right in the sense that those who became delegates well knowing the contents of the statement were expected by the authors to abide by the basis unless it was duly altered by the major parties. When two or more rival parties meet together they do so under some understanding. A self-chosen umpire (in the absence of one chosen by the parties the authors constitute themselves one) fancies that the parties will come together only if he presents them with a proposal containing a certain minimum and he makes his proposal leaving them free to add to or subtract from or altogether change it by joint agreement.

Liberty of Individual Unit.

“ This is perfect so far. But what about the units? Are the Sikhs, for whom the Punjab is

the only home in India, to consider themselves against their will as part of the section which takes in Sind, Baluchistan and the Frontier Provinces? Or is the Frontier Province also against its will to belong to the Punjab called "B" in the statement or Assam to "C" although it is a predominantly non-Muslim province? In my opinion the voluntary character of the statement demands that the liberty of individual unit should be unimpaired. Any member of the section is free to join it. The freedom to opt out is an additional safeguard. It can never be a substitute for the freedom retained in para (5) which reads :

"Provinces should be free to form groups with executives and legislatures and each group could determine the provincial subjects to be taken in common."

"It is clear that this freedom was not taken away by the authors by Section 19 which proposes (does not order) what should be done. It presupposes that the Chairman of the Constituent Assembly at its first meeting will ask the delegates of the provinces whether they would accept the group principle, and if they do whether they will accept the assignment given to their provinces. This freedom is inherent in every province and that given by para 5 will remain intact.

"There appears to me no other way of avoiding the apparent conflict between the two paragraphs as also the change of compulsion which would immediately alter the noble character of the document.

"I would, therefore, ask all those who are perturbed by the group proposals and the arbitrary assignment, that, if my interpretation is valid, there is not the slightest cause for perturbation.

"There are other things in the document which would puzzle any hasty reader who forgets that it is simply an appeal and an advice to the nation showing how to achieve independence in the shortest time possible. The reason is clear.

"In the new world that is to emerge out of the present chaos, India will cease to be the brightest jewel in the British Crown. It will become the blackest spot in that Crown, so black that it will be fit only for the dustbin. Let me ask the reader to hope and pray with me that the British Crown has a better use for Britain and the world. The brightest jewel is an arrogation.

When the promissory note is fully honoured, the British Crown will have a unique jewel or fight following from due performance of duty.

"There are other matters outside the statement which are required to back the promissory note. But I must defer that examination to the next issue of *Harijan*."

On May 27, the possibility of participation by the Congress in the formation of the proposed interim Government became slightly open to doubt, for the Congress appeared to have strong objections to the Viceroy's plan regarding the formation of the proposed Government. It was learned that the Viceroy contemplated setting up a Cabinet consist-

ing of 12 members, the Congress and the Muslim League nominating five each, while the remaining two seats were to go to the Sikhs and Indian Christians or Anglo-Indians, respectively. The omission of the Scheduled Caste representatives was a particularly noticeable feature. Thus, 'the Plan not only envisaged parity between the Congress and the League, but also gave to the Muslims parity with all the rest if the Congress, so far as had been its practice, was to nominate a Muslim from within its own quota, which would give the Muslims six seats out of a Cabinet of 12.'

Thus the Congress sounded its opposition to the parity formula, but the Viceroy was in no way inclined to make any change of this nature in his original proposal.

III

Re-examining the Mission's Plan in the light of the Congress Working Committee's views and the interpretation of the Viceroy, Mahatma Gandhi on the 31st May issued yet another statement in *Harijan* purporting to: "Intrinsically and legally interpreted, the State paper seems to me to be a brave and frank document. Nevertheless, the official interpretation would appear to be different from the popular. If it is so, and if it prevails, it will be a bad omen."

Regarding the formation of the interim Government, he said: 'The delegation, after a brief spell in Simla, returned to Delhi on the 14th instant, and issued their statement. One would have thought that they would have formed the Central Government

before issuing the statement first and then set about the search for the formation of the interim Government. It is taking long time coming, whilst the millions are starving for want of food and clothing. This is defect No. one.

About the "Question of Paramountcy," he added: "It is not enough to say that paramountcy will end with the end of British rule in India. If it persists without check during the interim period, it will leave behind a difficult legacy for government. If it cannot be ended with the establishment of the interim Government, it should be exercised in co-operation with it and purely for the benefit of the people of the States. It is the people who want and are fighting for independence, not the Princes who are sustained by alien power even when they claim not to be its creation for the suppression of the liberties of the people. The Princes, if they are true to their professions, should welcome this popular use of paramountcy so as to accommodate themselves to the sovereignty of the people envisaged under the new scheme. This is defect No. two."

Next, regarding the presence of foreign troops in India, Gandhiji wrote: "Troops, it is declared, are to remain during the interim period for the preservation of internal peace and protection against external aggression. If they are kept for such use during the period of grace, their presence will act as a damper on the Constitutional Assembly, and is more likely than not to be wanted even at the establishment of independance so called. A nation that desires alien troops for its safety, internal or external, or has them imposed upon it, can never be

described as independent in any sense of the term. In conclusion, Gandhiji wrote: "During the interim period we must learn to hop unaided, if we are to walk when we are free. We must cease from now to be so spoonfed."

CHAPTER VI

THE WEEK OF DECISION

"This hour's the very crisis of your fate,
Your good or ill, your infamy or fame,
And the whole colour of your life depends,
On this important now."

—*Dryden*

Mahatma Gandhi's emphasis on the 'three vital defects' in the Cabinet Mission's proposals, and interpretation of the compulsory grouping of provinces, made observers believe that 'hereafter the tussle between the Congress High Command and the British Delegation would be more on the interpretation of the British statement than on the intrinsic merits or demerits of the proposals in the announcement made on May 17.

In elucidation of its announcement, the Mission pointed out that the scheme stood as a whole, meaning thereby that Gandhiji's interpretation of the statement being 'an appeal', or 'an advice' was not correct. Secondly, about the grouping system, the Mission made it clear that "the interpretation put by the Congress resolution in paragraph 15 of the statement to the effect that the provinces can, in the first instance, make the choice whether or not to belong to the section in which they are placed, does not accord with the Delegation's intentions.

The reasons for the grouping of the provinces are well known and this is an essential feature of the scheme and can only be modified by agreement between the parties."

This made the Congress plan of action rather confused and obscure for the general observer, and it was feared that the proposals might be rejected by the Congress as the grouping system smelt the old 'Divide and Rule' policy of the British, and was most dangerous for the unity and independence of the country.

On the other hand, the Working Committee of the Muslim League met under the presidentship of Mr. Jinnah on the 3rd June, which having secured the substance of their demands, tried to secure equal representation of the League with the Congress in the provisional Government. It appeared in the League circles that there was a growing feeling and desire for accepting the Mission's proposals.

On the 4th June, the Working Committee of the League again held discussions on the said proposals and the question of the formation of an interim Government at the Centre, but no resolution was passed, for it was announced that the Council of the All-India Muslim League would consider the proposals and finally arrive at any decision.

The Muslim League Council session, which opened on the 5th June, heard a one-hour address of Mr. Jinnah on the Cabinet Mission's proposals. Condemning the Mission's treatment of the Pakistan demand of the Muslims, Jinnah declared: "Let me tell you that Muslim India will not rest content

until we have established full, complete and sovereign Pakistan. And I repeat with all the emphasis that I can command that the arguments and the reasons and the way in which the Mission has mutilated the facts are for no other purpose except to please and appease the Congress.

“In fact,” added Jinnah, “the foundation and the basis of Pakistan are there in their own scheme. That was one of the greatest blunders that they made and the result has been this. The Congress press and the Hindus, when they heard these phrases and had this sugar-coated pill that Pakistan was rejected, there was jubilation, and naturally amongst the Muslims there was the strongest condemnation and resentment. But it was so little sugar that within a short time the Congress press felt it was a pill minus sugar.”

Emphasising further upon the Pakistan demand of the League, Mr. Jinnah said: “For us there is no other goal except establishment of Pakistan. I repeat from this platform that delay is not good, either for the British Government or the Hindus. If they love freedom, if they love the independence of India, if they want to be free, then the sooner they realise the better that the quickest way is to agree to Pakistan. Either you agree, or we shall have it in spite of you. What methods we would adopt and what instruments we would use, would depend upon the time and circumstances.”

On the 6th June, the Council of the Muslim League passed a resolution accepting the Cabinet Mission's scheme and agreeing to join the constitution-making body, but adding that the League would

keep in view the opportunity and the right of secession of provinces or groups from Union, which had been provided in the Mission's plan by implication. Regarding the arrangements for the proposed interim Government at the Centre, the Council authorised Mr. Jinnah to negotiate with the Viceroy and takes such decisions and actions as he deemed fit and proper.

The following is the full text of the resolutions:—

"This meeting of the Council of the All-India Muslim League after having carefully considered the statement issued by the Cabinet Mission and the Viceroy on May 16 and other relevant statements and documents officially issued in connection therewith; and after having examined the proposals set forth in the said statement in all their bearings and implications, places on record the following views for the guidance of the nation and direction to the Working Committee.

That the references made and the conclusions recorded in paragraphs six, seven, eight, nine, ten and eleven of the statement concerned, the Muslim demand for the establishment of a full sovereign Pakistan as the only solution of the Indian constitutional problem are unwarranted, unjustified and unconvincing and should not therefore have found place in a State document issued on behalf and with the authority of the British Government.

These paragraphs are couched in such language and contain such mutilation of established facts that

the Cabinet Mission have clearly been prompted to include them in their statement solely with the object of appeasing the Hindus in utter disregard of Muslim sentiments. Furthermore, the contents of the aforesaid paragraphs are in conflict and inconsistent with the admissions made by the members of Mission themselves in paragraphs five and twelve of their statement, which are to the following effect :

Firstly, the Mission " were greatly impressed by the very genuine and acute anxiety of the Muslims lest they should find themselves subject to perpetual Hindu majority rule."

Secondly, " this feeling has become so strong and widespread amongst the Muslims that it cannot be allayed by mere paper safeguards."

Thirdly, "if there is to be internal peace in India, it must be secured by measures which will assure to the Muslims a control in all matters vital to their culture, religion, economic or other interests," and

Fourthly, very real Muslim apprehensions exist that "their culture and political and social life might become submerged in a purely unitary India in which Hindus, with their greatly superior numbers, must be a dominating element."

In order that there may be no manner of doubt in any quarter, the Council of the All-India Muslim League reiterates that the attainment of the goal of complete sovereign Pakistan still remains the unalterable objective of the Muslims of India, for the achievement of

which they will, if necessary, employ every means in their power and consider no sacrifice or suffering too great.

That notwithstanding the affront offered to Muslim sentiments by a choice of injudicious words in the preamble of the statement of the Cabinet Mission, the Muslim League, having regard to the grave issues involved, and prompted by its earnest desire for a peaceful solution, if possible, of the Indian constitutional problem, and inasmuch as the basis and the foundation of the Pakistan are inherent in the Mission's plan, by virtue of the compulsory grouping of the six Muslim provinces in sections B and C, is willing to co-operate with the constitution-making machinery proposed in the scheme outlined by the Mission, in the hope that it would ultimately result in the establishment of a complete sovereign Pakistan and the consummation of the goal of independence for the major nations, and all the other peoples inhabiting this vast sub-continent.

It is for these reasons that the Muslim League is accepting the scheme and will join this constitution-making body and will keep in view the opportunity and the right of secession of provinces or groups from the Union, which have been provided in the Mission's plan by implication.

The ultimate attitude of the Muslim League will depend on the final outcome of the labours of the constitution-making body and on the final shape of the constitutions, which may emerge from the deliberations of that body jointly and separately in its three sections.

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The Muslim League also reserves the right to modify and revise the policy and attitude set forth in this resolution at any time during the progress of deliberations of the constitution-making body or the Constituent Assembly or, thereafter, if the course of events so required, bearing in mind the fundamental principles and ideals hereinbefore adumbrated to which the Muslim League is irrevocably committed.

That with regard to the arrangements for the proposed interim Government at the Centre, this Council authorises its President to negotiate with the Viceroy and to take such decisions and actions as he deems fit and proper."

It was the general belief amongst members of the League Council that fifty per cent Pakistan was better in their opinion than leaving everything to a strong Central Government controlled by the Hindus, and that the proposal of an experiment for an initial period of ten years would afford them a better opportunity towards the consolidation of the Muslims in their majority areas than might be possible otherwise. They realised that the Cabinet Mission's proposals of sub-federations and provincial groupings assured them the substance of their Pakistan demand, and that ten years hence it would be possible and practicable to convert the anti-Pakistanist element in those areas into willing partisans of Pakistan.

The League's acceptance of the Mission's proposals, and willingness to form the proposed interim Government, put the Congress in an awkward position, for it had hoped that the League would reject the proposals, and the Mission

would then have no other course left but to proceed on the formation of the Government with the co-operation of the Congress alone, as had been previously declared in a broadcast speech by Mr. Attlee on the policy of ruling out the minorities if they did not agree to the principles of the formation of the new Government. This, in the even of the refusal of the Muslim League to co-operate with the Mission, meant the offer of a free field for work to the Congress in the country; but things proved otherwise.

It was strongly believed by the public that, since all demands of the Congress had been brushed aside, it would not be possible for it to accept the offer. Mahatma Gandhi, however, publicly committed himself to acceptance of the proposals, but the main obstacle in the path of the Congress proved to be the question of parity between the League and the Congress on the basis of 5-5 in an Executive of 12, which was believed to have been earlier proposed and discussed by the Muslim League with the Viceroy. To this, the Congress could not agree, for it held that "although the scheme pronounced by the Cabinet Mission has been found to contain defects and incongruities on material particulars, its rough edges might be smoothed if the deal is sought to be put through in a spirit of sincerity and goodwill. But so far as the composition of the interim Government is concerned, the Congress High Command is strongly opposed to the League-Congress parity."

In the meetings of the Congress Working Committee, and discussions of their leaders that followed the Muslim League's decision

considered in some quarters as 'a landmark in the political history of this country,' for the reason of its being a clear advance on all previous proposals of the British Government, while in others it is considered to be most unsatisfactory from the viewpoint of political parties and national elementss."

The Plan proposes:—

- (a) Establishment of machinery to evolve a Union of India including both British India and the Indian States.
- (b) Formation of three separate and distinct groups of provinces, and setting up of *Constituent Assemblies*, and
- (c) Setting up of an interim Government at the Centre.

For (a), i.e., Union, it provides that :

- (1) There should be a Union of India embracing both British India and the States which should deal with foreign affairs, defence, and communications, and should have the powers necessary to raise the finances required for these subjects.
- (2) All subjects, other than Union subjects, and all residuary powers should vest in the provinces.
- (3) Provinces should form groups with Executive and Legislatures into three specific Sections, A, B and C, with the option to go out of

the group by a majority vote of the legislature after the new Constitution has been formed.

For (b), *i.e.*, Constitution-making body, it provides representation of each province, as well as each of three major communities on the basis of the one member for each million of the population. The provincial representatives will divide thereafter into three groups or Sections, A, B, and C. Group A will comprise the six Hindu-majority provinces of United Provinces, Bihar, Orissa, Central Provinces, Bombay, and Madras. Group B will contain the North-Western Muslim-majority provinces of the North-West Frontier, the Punjab, Sind, and Baluchistan; and group C will include the North-Eastern Muslim-majority provinces of Assam and Bengal. This grouping arrangement or the 'zonal division' of India was brought out especially to appease the Pakistan demand of the Muslim League which had asked for two separate constitution-making bodies for Hindustan and Pakistan, *i.e.*, the Hindu-majority provinces and the Muslim-majority provinces respectively. The Mission have, thus, conceded the Pakistan demand in substance through the grouping of provinces on communal basis, and making three constitution-making bodies instead of one for all practical purposes except External Affairs, Defence, and Communications.

For (c), *i.e.*, interim Government, it is understood that no appreciable advance has been made in this respect, for the Viceroy's veto will remain unabated, and Paramountcy over the States will not be transferred over to the new Government, excepting that all members of the Executive Council will

be Indians. It is also believed that there will be fourteen seats on the Council, out of which the Viceroy contemplates giving five each to the Congress and the Muslim League, and one each of the remaining four to the Sikhs, the Indian Christians, Parsis and other minorities.

As regards the position of the Indian States, the Mission proposes that the relationship between the Rulers and the British Crown cannot be transferred to a third party without the consent of their respective Rulers. The States will, however, join the Union sending representatives therein in proportion of their population, and will take part in the Constitution-making body, retaining to themselves all subjects and powers other than those ceded to the Union.

II

"The Cabinet Mission's proposals have appeased the monster of communalism let loose by the Muslim League. The country is sought to be cut up into three parts, two of which will be really Pakistan covered with B and C constitutional cloaks, and a predominantly non-Muslim province, and an overwhelmingly nationalist Muslim province are sought to be thrust into them against their will... It is partition of the worst type. It is the Balkanisation of the country to please Mr. Jinnah, thus providing the fissiparous tendencies with the amplest possible scope for operation."

This is how the Hindu press in the country reacted against the Cabinet Mission's proposals.

The press denounces the Plan for :

(a) It suggests a very weak Centre, having control over only three subjects—external affairs, defence, and communications, but without having anything to do with such vital items as currency, income-tax, customs and tariffs. This would mean the decentralisation of currency, exchange and excise policies, and introduction of different scales of tariff duties creating the worst possible economic confusion and chaos, and ultimately dividing the country into two economically independent Indias.

(b) It suggests communal grouping which will split up the country into three parts and prove fatal to Indian unity and democracy. Under this scheme Assam, a predominantly Hindu province, and N. W. F. P. a preponderantly Muslim-Nationalist province would be thrust into the B and C Pakistan groups respectively against their own wishes.

(c) The Viceroy suggests communal parity between Congress and the Muslim League in the composition of the interim Government. This is "neither commonsense, nor justice, nor equity, nor democracy," for it brings the Indian National Congress down to the level of a communal body. The Congress contends that the question of parity with the Muslim League does not arise, since it represents 75 per cent of the population of India against 25 per cent of the Muslim League. The refusal of the Congress to agree to a communal parity, therefore, led to a deadlock towards the formation of an interim Government.

III

"It does very little justice to Muslims: it does not concede Pakistan, which in the sense of an absolutely independent zones of the Indian sub-Continent still remains the Muslim nation's unshakable goal. So will it remain until it is completely achieved... The British Labour Government's attitude towards Pakistan, therefore, leaves Muslims utterly cold... The new British Plan itself will be judged, and the Muslim League's attitude towards it will be determined by only one criterion. Does it bar all progress towards attainment of the goal, or does it offer opportunities for registering an advance towards that goal? If, after a careful study, it is a trap from which there is no exit towards Pakistan, it will have to be completely rejected."

This is how the Muslim press in India received the Cabinet Mission's proposals. About the defects in the Plan it writes :—

(a) A United India for the purpose of 'a United Defence' is a most puerile plea, for the armed forces can be equitably distributed between two new sovereign States which can thereafter become the centres for separate development by the States concerned.

(b) The opponents of the grouping system have expressed a fear that "the majority party in each group may so frame the constitution of the provinces that they may not be able to record their free vote on this important issue. This is childish," says the Muslim press. "Under the British Cabinet Mission's proposed Plan," it

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adds, " the present provincial units must remain as they are at present. They cannot be wiped out. Each province must have its legislature and nobody can doubt that these legislatures will be elected by the free vote of the people concerned. These legislatures can decide by a majority of votes whether the province concerned wishes to stay in its group or not. There is, thus, no question of any province being coerced to stay in a group against the wishes of its people."

" What Mahatma Gandhi and the lesser writers in the Hindu press really fear," it adds, " is that, confronted with the issue of staying in a group or not, a majority of the people in the N.-W.F.P. as well as Assam is likely to vote for the group, thus strengthening the foundation of the two Pakistan units. They, therefore, want to take advantage of the accident of the Congress being in office in these two provinces at present in order to forestal the verdict of the people and get them now out of the groups to which they naturally belong."

In conclusion, it remarks : " The fact of the matter is that the Pakistan areas in the north-west as well as the north-east are quite apart from the communal composition of their population, two well-marked geographical and economic units. Once this fundamental fact is properly presented to the people concerned, there is little doubt that many Hindus and Sikhs in both Pakistan areas, who are now dominated by unreal fears, will willingly vote for the integrity and progress of these units as such."

IV

"The Cabinet Mission seems to have met the view-point of the Hindus and the Muslims. But the Sikh position has finally liquidated," stated Master Tara Singh, leader of the third 'major communal party' (Sikhs) approved by the British Cabinet Mission. The following was his reaction against the Mission's proposals :

"The whole future of the Sikhs has been entrusted to a house of 36 members of whom 23 shall be Muslims, 9 Hindus and 4 Sikhs. Can we expect any justice, any consideration or any fairplay from such a body, specially when it knows that the British bayonets are here to protect and carry out its decisions? We are already groaning under Muslim domination, which is now being strengthened and stiffened. We are doomed. We must now stand upon our own legs or fall for ever. Now or never. Unite, unite to a man; rise, rise to a man and be prepared to die, die to a man. Oh Khalsa, oh sons of the Great Guru Gobind Singh! Shall we perish without a struggle? Accursed is he who stands aloof now!"

The Sikh leader urged for :—

(a) A separate Sikh State comprising the districts lying between the rivers Ravi and Jumna with minor local adjustments.

(b) A separate Constitution-making body.

For the attainment of their objective, the Sikhs are contemplating a direct action against the

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Government, the Congress, and the Muslim League, being the three main parties in the interim Government, and for this purpose some 800 Sikh representatives met at Amritsar on June 9, where they reached at the following decisions:—

(1) The formation of a Council of Action.

(2) Recruitment of at least two lakhs of volunteers.

(3) Appeal to Sikhs to make any other sacrifice or to contribute at least one month's salary.

(4) A pledge to be signed before the *Akal Takht* by those who join the campaign to face death in order to secure relief against the wrongs done to them by the present Plan of the Mission.

It was reported on June 10, that more than 1,000 Sikhs headed by prominent Akali leaders, took a pledge to make every sacrifice in opposing the Cabinet Mission's proposals, and further it was decided to commence their struggle on the 23rd June, 1946.

V

Dr. Ambedkar, the spokesman of the Scheduled Castes in the country, feeling that the British Cabinet Mission's proposals were not at all fair to his people, appealed to Mr. Churchill to safeguard the interests of 60 million untouchables,

which had been shamefully betrayed by the British Cabinet Mission. This appeal was strongly objected to by the nationalist press in the country, for, it said that he ought to have appealed to his people, and not to a man who had been known as an enemy of India's progress. Nothing could do greater harm to the cause, which he professed to have at heart, than his appeal to the enemies of the land.

On June 4, the Working Committee of the All-India Scheduled Castes Federation, in a 2,000-word resolution, called upon the Government and the Labour Party in England to take up the cause of the Scheduled Castes in right earnest, and to rectify immediately the wrong done to them by the Cabinet Mission. "Failing this," said the resolution, "the Working Committee feels that there will be no alternative for the Scheduled Castes but to resort to direct action."

The Committee emphasised that the provisions contained in the Cabinet Mission's proposals for safeguarding the interest of the Depressed Classes were 'absolutely illusory and unworthy of serious consideration,' for no seats had been reserved for them in the Constituent Assembly as has been done in the case of the Muslims and Sikhs. It was, therefore, feared that the Constituent Assembly might not have any representatives of the Scheduled Castes. Thus, the resolution, concluded, "the Cabinet Mission has without compunction ignored unimpeachable evidence and without any justification committed the gravest act of treachery in leaving the Scheduled Castes to the mercy of the Hindus."

VI

The account of the British Cabinet Mission, and the manner in which its proposals have been received in the country have been given in the preceding pages. Whether India will make any really substantial advance towards her independence by accepting the proposals, or whether she will be simply inviting trouble, dissension, bloodshed and civil war within herself, can hardly be predicted at the moment. Foreign observers, however, do not paint a bright picture either of the present proposals of the British or about the independence of India in the near future.

The Chicago Tribune in a leading article commented recently that "British policy had not changed widely. From Mr. Attlee's speech to Parliament on May 15, some Americans had hopefully concluded that Britain was at least making a sincere effort to get off its back 400,000,000 people of India. The Empire policy never seems to deviate very widely, no matter whether a Tory or a Labour Government is in power. Nothing has happened yet to show that Britain has revised its intention to keep India within the imperial orbit by whatever method may be necessary. In the past method of divide and rule has been successful. There is, as yet, no good reason to believe that that policy has been abandoned... We fear that if Britain postpones freedom for India until the Muslims and Hindus agree, she is asking for another ghastly racial war in Asia."

The Moscow newspaper, *New Times*, in an article on the Cabinet Mission's proposals to India says: "If during war, in a moment of great danger, England did not agree to recognise the independence

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of India, there is still less reason to think that she will do so now that the war is over . . . Many promises have been made to colonies, but now regardless of promises, it is intended as soon as possible to re-establish the previous colonial regime."

On May 22nd, the first Soviet comment on the Mission's proposals was made by Commentator Yokov over the Moscow Radio, which said: It is symptomatic that though the British Government has declared itself ready to make India independent, this proposal does not proclaim even Dominion Status for India, let alone Independence. . . Lord Pethick-Lawrence said in his broadcast that India desired independence and the British Government was prepared to grant this, but the concrete proposals put forward in the British Government White Paper do not accord very well with such statements."

"At the same time," he added, "the police in India has been reinforced, prisons are being enlarged, and the strength of the British Army is being maintained. This does not seem to indicate that the provisional Government of India will have even a share of real sovereignty."

Among the defects of the proposals Mr. B. Edwards, Chairman of the British Independent Labour Party, stated that they "include the Viceroy's undemocratic and overriding powers, the indefinite retention in India of the British armed forces and vested interests in finance and industry, and the continuation of the semi-feudal States of the Princes in a privileged position, which is incompatible with democratic principles."

